تعدد الزوجات في الإسلام

# POLYGAMY *in* ISLAM

Dr. Abu Ameenah Bilal Philips
&
Dr. Jamila Jones

INTERNATIONAL ISLAMIC PUBLISHING HOUSE

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# CONTENTS

# PUBLISHER'S NOTE

Allah alone, the All-Merciful, deserves all praise and thanks, Lord of the universe, its Creator and Sustainer. Blessings and peace be upon the last of the prophets and messengers, Muhammad, his family and Companions and all those who follow in his footsteps till the end of time.

Polygamy in Islam is a favourite topic for the critics of Islam and its message. The so-called secular and Western global domination has maligned the subject to the extent that its impact is felt worldwide. Some so called 'modern' Muslim scholars have succumbed to the propaganda. They mis-interpreted the Qur'an to prove that monogamy, as preached by the West, is the only ideal concept and practice and that the Qur'an condones it.

This book is the outcome of thorough studies of sister Jameelah Jones and brother Abu Ameenah Bilal Philips. Both of whom reverted to Islam in 1971 and 1972 respectively. Their western background facilitated a deep understanding of the subject. They have dealt with it strictly in the light of the Qur'an and Sunnah and have described the important characteristics of marriage in Islam. They have provided a straightforward reply to the question of why Islam allows four wives.

The book has been well received by the readership and is key in dispelling the malignant propaganda. This is the fourth

thoroughly revised edition with a number of improvements. We are happy to present it in the best possible way with the hope and prayer that Allah will make it much more beneficial to our readers.

***Muhammad ibn 'Abdul-Muhsin al-Tuwaijri***

**General Manager,**
**International Islamic Publishing House, IIPH**
**Riyadh, Saudi Arabia**

# PREFACE: THIRD EDITION

Since its publication in 1985, this work continues to be one of the only books of its kind in English devoted solely to the highly controversial topic of polygamy in Islam. As such, the steadily increasing demand for copies among both Muslims and non-Muslims has necessitated the undertaking of a third reprint. However, rather than merely reprinting the original, we decided to improve each reprint for the readers' benefit.

The minor changes of the second edition have been incorporated in this edition along with further general improvements. All Hadiths [statements of the Prophet (ﷺ)] have been carefully authenticated. The few unreliable (*Ḍa'īf*) traditions remaining in the text have been identified as such in the footnotes and will — God willing — be removed from the book in subsequent editions. The hadiths have also been thoroughly referenced to existing English translations of the hadith classics with the help of brother Iftekhar Mackeen. Thus, the English reader may now more easily engage in further research on the topic from English reference works. An index of hadiths mentioned in the text has also been added in order to facilitate later use of the text. Beside these additions, there have also been some cosmetic changes to both the text and the cover design in an attempt to make the book more visually attractive. As to the title, it has been changed from "Plural Marriage in Islam" to "Polygamy in Islam" based on the recommendations of some readers who suggested that the subject matter of the book would be more

obvious at a glance using the well-known term "polygamy".

It is hoped that these improvements and changes will be appreciated by the readers and that the educational goals of the book be achieved in its further and wider distribution.

Lastly, it is our prayer that Almighty God, Allah (ﷻ), add these humble efforts to clarify the message of Islam to our scale of good deeds on the Day of Recompense.

Abu Ameenah Bilal Philips

# PREFACE: FIRST EDITION

Let it be known that we are not suggesting that polygamy be the lifestyle for every Muslim, nor should anyone enter a polygamous relationship anticipating a bed of roses. Polygamy is a complicated aspect of marriage in Islam in which the welfare of the community supercedes the desires of the individual (woman). Nowadays, polygamy is usually viewed as a right that man has but should not take, or as a law that is outmoded and in need of being abolished. Muslims often attempt to hide it or apologize for its existence. There is no need to hide or apologize but there is need for those who have decided to adopt it as a lifestyle to try and handle it in the best possible way, the way of the Prophet Muhammad (ﷺ), and for those who are ignorant of its rationale and laws to become acquainted with them.

This book contains basic guidelines for anyone interested in understanding the rights and obligations of males and females in Islamic plural marriages. The guidelines have been drawn from the Qur'an, Hadith, the sayings and actions of the Prophet Muhammad (ﷺ) and the opinions of Islamic scholars. It is hoped that the material will be as beneficial to all who read it as it was to us in compiling it.

Jameelah Jones

Ṭaif, Saudi Arabia

# Section One

## INSTITUTIONAL MONOGAMY

This material was not put together in defense of polygyny[1] (*Ta'addud az-Zawjāt*), for Allah has already confirmed the right to do so as clearly stated in the Qur'an:

﴿ ... فَٱنكِحُوا۟ مَا طَابَ لَكُم مِّنَ ٱلنِّسَآءِ مَثْنَىٰ وَثُلَٰثَ وَرُبَٰعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا۟ فَوَٰحِدَةً ... ﴿٣﴾ ﴾ (سورة النساء: ٣)

"*... Marry of the women that please you; two, three or four, but if you fear that you will not be able to deal justly, then only one...*" (Qur'an 4: 3)

Moreover, the Prophet (ﷺ) demonstrated in detail how polygyny should be put into practice in his divinely guided life-style (Sunnah). *Ta'addud* (polygyny) was the practice of most of the major *Ṣaḥābah* (Companions of the Prophet — may Allah be pleased with them all) as well as many outstanding scholars of the Muslim Ummah (nation) from the earliest time of Islam up until today. *Ta'addud* was also practised among a portion of the general

[1] Webster's *New World Dictionary* defines polygyny as a practice of having two or more wives at the same time; whereas, polygamy is defined as the practice of having two or more wives or husbands at the same time.

masses in most Muslim countries before and after the advent of European colonization. In fact, it is only in recent times (early twentieth century) that a loud new cry has been raised by so-called modernist Muslims attacking the institution of marriage in Islam due to its recognition of polygyny and the ease with which divorce may be obtained. They propose the replacement of the Islamic form of marriage with the restrictive impractical monogamy practiced in the West, arguing that it is the only just and civilized form of marriage. As a result, a number of countries with Muslim majorities have officially forbidden or severely restricted polygyny in their imported constitutions. However, to this day, *Ta'addud* continues to be practised by some Muslims throughout the Muslim world, though with less frequency than in earlier times.

## Early Christians were polygynous

Having said that, however, there are a few points raised by the opponents of Islam which should be answered. First among those is the totally erroneous claim that Christianity's introduction of monogamy not only protected the rights of women but also that it had a civilizing effect on the world in the realm of human relations. First of all, it should be noted that there are no scriptural accounts of Jesus prohibiting polygyny, and early Christians were polygynous, following Jewish tradition[2]. Some of the church

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[2] All judges must have had several wives each (Judges 8:30, 10:45, 12:14). King Solomon is said to have had seven hundred wives, princesses and three hundred concubines (Kings 9:16, 11:3 cf. S. of Sol. 6:8). His son had eighteen wives and sixty concubines (2 Chron. 11:21). Each of Rehoboam's twenty-eight sons had many wives (2 Chron. 11:21). Even the wise men of the Talmud have given good advice that no man should marry more than four wives, the number Jacob had.

Fathers accused the Jewish rabbis of sensuality, yet not a single church council in the early centuries opposed polygyny nor was any obstacle placed in the way of its practice. In fact, St. Augustine declared openly that he did not condemn it. Luther, on occasion, spoke of it with considerable toleration and was known to have approved the bigamous status of Philip of Hesse. In 1531, the Anabaptists openly preached that a true Christian must have several wives. There was even a time in 1650 when some of the Christian leaders resolved that every man should be allowed to marry two women. It is also recorded that the German reformers even so late as the sixteenth century, admitted the validity of a second and third marriage contemporaneously with the first in default of issue and other similar causes.[3] In fact, it was only after Christianity was revised according to Paulian doctrines that concepts of monogamy were introduced into Christian philosophy in order for it to conform to Greco-Roman culture. Greece and Rome had evolved an institutionalized form of monogamy in societies where the majority of the populace were slaves who could be used freely. Hence what was termed monogamy in theory was in fact unrestricted polygamy.

## Self-denial as a way of life

Secondly, along with the development of monasticism there arose a philosophy which regarded every gratification of the sexual impulse with suspicion and disgust. For those who chose celibacy or self-denial as their way of life, the greatest challenge was their own sexual desires. The writings of early monks are filled with their descriptions of dreams in which they are

[3] Hammudah 'Abd al-'Ati, *The Family Structure in Islam*, (American Trust Publication, 1977), p. 114.

tormented by beautiful and alluring women. Many Christian saints were reported to have been convinced that they were tempted at night by voluptuous and lascivious female demons called succubi that tormented them. While nuns and other Christian women, on the other hand, asserted that they were visited at night by equally alluring beings called incubi who had sex with them.[4] Women were despised and blamed for corruption based on Eve's supposed submission to the Devil and her subsequent encouragement to Adam to eat from the forbidden tree. Some Christian scholars of the past even interpreted the forbidden tree as sex itself. The following are statements of canonized saints of Christianity concerning women:

> "Woman is the daughter of falsehood, a sentinel of Hell, the enemy of peace; through her Adam lost Paradise (St. John Damascene)."
> "Woman is the instrument which the Devil uses to gain possession of our souls (St. Cyprian)."
> "Woman is the arm of the Devil, her voice is the hissing of the serpent (St. Anthony)",
> "Woman has the poison of an asp, the malice of a dragon (St. Gregory the Great)."[5]

Hence, sex was looked upon as an evil impulse necessary for procreation but despised for pleasure. And, the acceptable form of marriage was reduced to the simplest possible terms, monogamy.

The question remains why a male-dominated society should be so opposed to polygyny when such a large number of its married members practise a form of it by engaging in illicit or casual relationships. Some males self-righteously assert that

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[4] The Family Structure in Islam, p. 51.

[5] 'Ulfat 'Aziz us-Samad, *Islam and Christianity*, Kuwait: I.I.F.S.O., 1982, p. 79.

monogamy is maintained to protect the rights of women. But, since when has the western male been concerned about women's rights? Western society is riddled through and through with socio-economic practices which oppressed women and led to the upsurge of women's liberation movements in recent years, from suffragettes of the early nineteen hundreds to the ERAs of today. The reality is that monogamy protects the males right to play around without any responsibility, since the incidence of infidelity among them is usually much higher than that among females. The pill and easy access to abortions opened the door to illicit sex and the female wanted to join in the fun. In spite of her natural and general inclination towards meaningful relationships, she became caught up in the so-called sexual revolution. However, she is still the one who suffers from the side effects of the pill, coil and the loop or the trauma of abortion in much the same way as she suffered in the past the shame of child birth out of wedlock. Meanwhile the male continues to enjoy himself worry-free, aside from the recent plagues of venereal disease, herpes and A.I.D.S., which are now causing many to reassess their sexual habits. Males in general continue to be protected by monogamy, while prostitutes, call girls, mistresses, secretaries, models, actresses, store clerks, waitresses and girl friends remain in their play-ground. The fact is that institutional polygyny is vehemently opposed by male-dominated western society because it would force men to fidelity. It would oblige them to take socio-economic responsibility for the fulfillment of their polygynous desires and provide protection for women and children from mental and physical abuse. Some might argue that if the stigma of illegitimacy were removed, the problem could be solved without having to resort to the legalization of polygyny. However, every child has a natural desire to know its parents and the denial of that right often leads to serious psychological problems later on in life.

In fact, females have a vested interest in institutional polygyny because of the obvious socio-economic protection it provides. Furthermore, the preponderance of females in the world is an established fact. The death-rate at birth is much higher for boys and women on the whole live longer than men; not to mention, the large numbers of men who die daily in the various wars around the world. Thus, although the ratio may vary from country to country the results are still the same; women outnumber men.[6] This apparent imbalance has been further aggravated in the West by the alarming increase in homosexuals within society. Hence there are more females competing for a diminishing number of males. Consequently, there will always remain a large segment of women unable to fulfill their sexual and psychological needs through legitimate means in monogamous societies. Their presence in an increasingly permissive society also contributes to the break down of western family structure. A strong family structure is an absolute requirement for a strong and healthy society. And, the only way that the family can remain strong and society cater to the needs of its male and female members is through the Islamic form of marriage of which polygyny is a part.

## Monogamy protects males

The monogamous marriage system, clearly, does not take into consideration the real needs of human society. It limits possibilities for both men and women while claiming to protect

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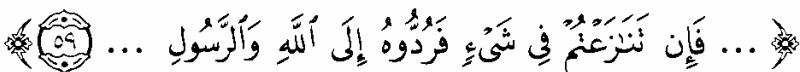
[6] Russia: 46.1% of the population are men and 53.9% women (1970 census)
United Kingdom: male 48.55% and female 51.45% (1971 census)
United States: male 48.8% and female 51.2% (1971 census)
Brazil: male 49.73% and female 50.27% (1970 census). See *The New Encyclopedia Britannica*, (U.S.A; Encyclopedia Britannica Inc., 15th edition, 1976), vol. 17, Pp. 34, 270, 244.

the latter. Instead of providing protection for women, it provides a hypocritical shield for men to hide behind while favouring a wife to the detriment of a girlfriend or vice versa. Islam has a complete marriage system which takes into account all the human variables and provides men and women with viable options. To deny the validity and legality of polygyny is tantamount to denying the comprehensiveness of the Islamic marriage system and the wisdom of the divine decree. It is not possible that everything in life should happen according to our feelings and desires. Nor is it possible to live without experiencing pain. On the contrary, Allah (سبحانه وتعالى) has stated in the Qur'an that Muslims shall be tested:

﴿وَلَنَبۡلُوَنَّكُم بِشَيۡءٖ مِّنَ ٱلۡخَوۡفِ وَٱلۡجُوعِ وَنَقۡصٖ مِّنَ ٱلۡأَمۡوَٰلِ وَٱلۡأَنفُسِ وَٱلثَّمَرَٰتِۗ وَبَشِّرِ ٱلصَّٰبِرِينَ ١٥٥﴾ (سورة البقرة: ١٥٥)

"*Be sure that We shall test you with something of fear and hunger, some loss in goods or lives or the fruits [of your labour], but give glad tidings to those who are patient.*" (Qur'an 2: 155)

﴿أَحَسِبَ ٱلنَّاسُ أَن يُتۡرَكُوٓاْ أَن يَقُولُوٓاْ ءَامَنَّا وَهُمۡ لَا يُفۡتَنُونَ ٢﴾ (سورة العنكبوت: ٢)

"*Do men think that they will be left alone on saying, 'We believe,' and that they will not be tested?*"

(Qur'an 29: 2)

Neither tests nor pain, whether physical or emotional, can be avoided in this life. Nor can any aspect of the Islamic system be negated merely to justify a particular individual's or group's opinions. Although polygyny may be painful for some women, it is also beneficial for other women and society as a whole.

Muslims must accept the whole of Allah's message and submit to the fact that Allah's wisdom is superior to our opinions.

Since the rapid spread of Islam in the West in the last two decades, a number of plural marriages have been contracted among recently converted Muslims. However, due to the lack of Islamic legal material in English, many marital problems have arisen among newly converted Muslims. In ignorance, most couples rely on their pre-Islamic concepts and experiences to solve the inevitable problems which must arise in any marriage whether singular or plural. However, the only solution to marital problems or any other problems among Muslims lies in Allah's command:

﴿ ... فَإِن تَنَٰزَعۡتُمۡ فِي شَيۡءٖ فَرُدُّوهُ إِلَى ٱللَّهِ وَٱلرَّسُولِ ... ﴿٥٩﴾ ﴾

(سورة النساء: ٥٩)

"*... If you fall into dispute about anything, take it back to Allah and the Messenger [i.e., back to Qur'an and the Sunnah]...*" (Qur'an 4: 59)

This book attempts to do just that in a particular area in which friction is sure to develop among those involved in plural marriages; that is, with regard to the rights and obligations among wives. This book is intended to serve not only as a reference guide for those who are already in plural marriage and those contemplating entering such a relationship, but is also intended for those who simply want a more complete picture of marriage in Islam.

# Section Two

# MARRIAGE IN ISLAM

Marriage has been ordained by Allah (سبحانه وتعالى) as the correct and legal way to produce children and replenish the earth. The family is the basic unit of an Islamic nation or society. Allah has made the desire for mates and offspring instinctual for mankind and animals. Life on earth continues through children and children are the products of marriage. Nevertheless, marriage in Islam can not be viewed merely as means for uniting the male body with a female body and producing offspring, nor was marriage instituted just for purposes of satisfying natural desires or quenching passions. Its goals are much deeper in meaning than those obvious physical realities. Allah, the Most High, illuminates this fact in Chapter *ar-Room* of the Qur'an:

﴿وَمِنْ ءَايَٰتِهِۦٓ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَٰجًا لِّتَسْكُنُوٓا۟ إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً ۚ إِنَّ فِى ذَٰلِكَ لَءَايَٰتٍ لِّقَوْمٍ يَتَفَكَّرُونَ ﴿٢١﴾﴾ (سورة الرّوم: ٢١)

"*And among His signs is this, that He created for you mates from among yourselves that you might live in tranquility [li-taskunoo] with them and He has put love and mercy between your [hearts]; Verily in that*

*are signs for those who reflect.*" (Qur'an 30: 21)

This tranquility (*Sakan*) is not simply what one may feel after satisfying sexual impulses but it is the serenity which follows a psychological need which has been fulfilled. Every individual is aware of having felt a lack or sense of loss within himself/herself which needed completion, a weakness which needed strengthening or loneliness which could only be removed by someone truly committed to him/her. The calm or emotional rest which one feels as a result of having fulfilled these needs can be termed tranquility (*Sakan*). Thus marriage in Islam is more than just a means of obtaining legal sex; it is an extremely important institution which safeguards the rights of men, women, and children while satisfying the physical, emotional and intellectual needs of the family members. The Prophet (ﷺ) illustrated the importance of marriage by saying,

> "When a servant of Allah marries, he has completed half of his religious obligations and he must fear Allah in order to complete the second half."[1]

## Marriage superior to transient relationships

Undoubtedly, marriages built on principles of love, honour, respect and mutual caring are far superior to temporary relationships with a variety of partners. Such marriages stabilize society by protecting its primary unit, the family. What would eventually happen to a society which forgets sanctioned

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[1] Collected by al-Bayhaqi (James Robson, *Mishkāt al-Maṣābiḥ*, Eng. Trans., Lahore: Sh. Muhammad Ashraf Publishers, 1975, vol. 1. p. 660) and authenticated as *ḥasan* by Shaykh al-Albāni in *Ṣaḥīḥ al-Jāmi' aṣ-Ṣaghīr*, vol. 1, Pp. 136-7, hadith no. 430.

relationships and allows base desires to rule. What of the women and children left in a dishonourable state without respect and support? Such a society would be lower than the society of animals which are at least governed by instincts which cause them to protect and provide for their young and their mates. Consequently, Islam has placed great stress on the divinely ordained institution of marriage in order to protect society. In fact, the Prophet (ﷺ) branded those opposed to marriage as being heretics and said,

> "Marriage is a part of my Sunnah (divinely guided way of life). Whoever is displeased with my Sunnah is not from among us."[2]

Since non-marital sex is forbidden in Islam, marriage protects individuals against immorality by providing outlets for natural urges as well as providing physical and emotional security for both partners.

## Rights of marriage partners

Just as individual members of society are entitled to certain rights and are subsequently responsible for fulfilling certain obligations within society, family members are entitled to certain rights and obliged to fulfill certain obligations within the family structure. The Prophet (ﷺ) outlined the general hierarchy of responsibility in society in the following statement narrated by Ibn 'Umar (may Allah be pleased with them) that the Prophet said,

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[2] Reported by Anas and collected by Bukhari [Muhammad Muḥsin Khan, *Ṣaḥīḥ al-Bukhari*, (Arabic-Eng. Trans.), Riyadh: Maktabah ar-Riyadh al-Ḥadeethah, 1981, vol. 7, Pp. 1-2, hadith no. 1] and Muslim ['Abdul Hameed Siddeeqi, *Ṣaḥīḥ Muslim*, (Eng. Trans.), Lahore: Sh. Muhammad Ashraf Publishers, 1987, vol. 2, Pp. 703-4, hadith no. 3236].

> "Verily, every one of you is a shepherd and every one of you is responsible for his flock. The *Amīr* is a shepherd over the people and shall be questioned about his subjects (as to how he conducted their affairs). A man is a shepherd over the members of his family and shall be questioned about them. A woman is a guardian over her household and shall be questioned as to how she managed the household and brought up the children. A slave is guardian over the property of his master and shall be questioned about it (as to how he safeguarded his trust). Verily, every one of you is a shepherd and every one shall be questioned in regard to his flock."[3]

Thus marriage could be considered a partnership in which the principle parties have been assigned different but complementary roles consisting of rights and corresponding responsibilities. In order for family life to flow smoothly, each partner must fulfill his/her part of the partnership. Neither has the right to demand if their responsibilities are not fulfilled. Allah has given general guidelines concerning the role of each partner in the following Qur'anic statement:

﴿ٱلرِّجَالُ قَوَّٰمُونَ عَلَى ٱلنِّسَآءِ بِمَا فَضَّلَ ٱللَّهُ بَعۡضَهُمۡ عَلَىٰ بَعۡضٖ وَبِمَآ أَنفَقُواْ مِنۡ أَمۡوَٰلِهِمۡۚ فَٱلصَّٰلِحَٰتُ قَٰنِتَٰتٌ حَٰفِظَٰتٞ لِّلۡغَيۡبِ بِمَا حَفِظَ ٱللَّهُۚ ... ﴿٣٤﴾﴾(سورة النساء: ٣٤)

*"Men are the protectors and maintainers of women because Allah has given the former more than the latter and because they [the former] support them from their means. Therefore, the righteous women*

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[3] Collected by Bukhari, (Arabic-Eng.), vol. 3, p. 438, hadith no. 730 and Muslim, (Eng. Trans.), vol. 3, p. 1017, hadith no. 3396.

> *are devoutly obedient and guard in their husbands' absence what Allah would have them guard...*"
>
> (Qur'an 4: 34)

The Prophet (ﷺ) further delineated the rights of men and women in a sermon during his farewell pilgrimage, saying,

> "You have rights over women in that they are not allowed to let anyone you dislike into your home. If they disobey you, you may spank them (lightly). And, the woman's right on you is that you should clothe her and feed her justly according to your means."[4]

So, we see that men have been made responsible for the protection and support of women because Allah has given them the necessary physical and mental capabilities to fulfill their role as protectors and maintainers of women, which in turn entitles them to be obeyed and their wealth and honour protected. Women, on the other hand, are responsible for guarding their husband's wealth, the protection of his honour and for being obedient to their husbands which in turn entitles them to be maintained. And on another occasion, when he was asked about women's rights over men he (ﷺ) replied,

> "That you feed her when you get food to eat, clothe her when you get clothing for yourself, do not hit her in her face, do not curse her and do not avoid her (for disciplinary purposes) except in bed."[5]

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[4] Narrated by Abu Hurayrah and collected by Bukhari and Muslim, (Eng. Trans.), vol. 2, Pp. 615-6, hadith no. 2803. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), Lahore: Sh. Muhammad Ashraf Publishers, 1975, vol. 1, p. 546.

[5] Reported by Mu'āwiyah al-Qushayri and collected by Abu Dawūd [Aḥmad Ḥasan, *Sunan Abi Dawūd*, (Eng. Trans.), Lahore: Sh. Muhammad Ashraf Publishers, 1st. ed. 1984, vol. 2, p. 574, hadith no. 2137] and authenticated=

This point, perhaps, needs further clarification due to the epidemic of wife-beating common in the West among non-Muslims which has been unconsciously carried into Islam by many new Muslims. The Prophet (ﷺ) on one occasion said,

> "Do not beat your wives as you would your servant girls (in pre-Islamic times)."[6]

Thus the beating must obviously be light according to the law. The purpose of this beating is not to inflict pain but to bring the wife back to her senses and re-establish authority. Thus, face slaps, curses, lashings and other forms of physical abuse are strictly forbidden and opposed to the spirit and the letter of the divine law. The best method of discipline is that of the Prophet (ﷺ), which was simply the avoidance of his wives in bed. 'Ā'ishah (رضي الله عنها) reported that,

> "The Prophet once swore not to sleep with his wives for a month."[7]

Of course, it should be noted that the obedience to husbands required of women is not blind obedience but complete obedience as long as the husbands' instructions do not oppose the precepts of Islam. And, for the sake of harmony and good will, husbands are advised not to exercise their right of obedience harshly and dictatorially. However, a woman's submission to her husband's authority should be a part and parcel of her religious duties whose

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=by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 402, hadith no. 1875. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.) vol. 1, p. 691.

[6] Reported by 'Abdullah ibn Zam'ah and collected by Bukhari, (Arabic-Eng.), vol. 7, Pp. 100-1, hadith no. 132 and Muslim, (Eng. Trans.), vol. 4, p. 1485, hadith no. 6837. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 692.

[7] Collected by Bukhari and Muslim. Muslim, (Eng Trans.), vol. 4, p. 1485, hadith no. 6837. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 689.

fulfillment will help her to get to Paradise. This point is amply illustrated in the following statements of the Prophet (ﷺ):

> "If a woman says her prayers, fasts her month (Ramaḍān), guards her private parts and obeys her husband, she may enter Paradise by any door she likes."[8]

Umm Salamah (رضي الله عنها) reported that Allah's Messenger (ﷺ) said,

> "Any woman who dies while her husband is pleased with her will enter Paradise."[9]

The fact that it is the responsibility of the man to maintain his wife and family does not mean that a woman may not help her husband in his professional pursuits or add to the economic stability of the family if the need arises or if they both agree for her to do so. By the same token, a man is also encouraged by the Prophet's example to assist his wife in her household chores:

> "His wives reported that he would often sew his torn clothes, repair his worn out shoes and milk his goats."[10]

On numerous occasions the Prophet (ﷺ) encouraged men to be kind, gentle and helpful to their wives because it is the nature of the strong to take advantage of the weak. For example, it is reported that the Prophet (ﷺ) said,

> "The most perfect of the Believers in faith is the best of

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[8] Reported by Anas and collected by Abu Nu'aym in *al-Hilyah*, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 691 and authenticated as *ḥasan* by Shaykh al-Albāni in *Mishkāt al-Maṣābiḥ*, vol. 2, p. 971, hadith no. 3254, ftn. 1.

[9] Collected by Tirmidhi, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 691 and rated weak (*Ḍa'īf*) by Shaykh al-Albāni in *Ḍa'īf al-Jāmi' aṣ-Ṣaghīr*, vol. 1, p. 263, hadith no. 2226.

[10] Collected by Aḥmad and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ al-Jāmi' aṣ-Ṣaghīr*, vol. 2 p. 886, hadith no. 3827. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans., vol. 2, p. 1248).

> them in character and the best of you in character is he who is best to his family."[11]

On another occasion 'Ā'ishah (ﷺ) reported that he (ﷺ) said:

> "The best of you is he who is best to his family, and I am the best among you to my family."[12]

He also instructed men concerning women in his farewell address given at the time of his last pilgrimage to Makkah:

> "Fear Allah in dealing with your women because you have taken them in your trust by Allah's permission and sex with them has been made lawful to you by (your mention) of Allah's name in (your marriage ceremonies)."[13]

Both partners in marriage should treat one another in a kind fashion in order to maintain a harmonious atmosphere in the home. The husband need not exercise his authority in rough or arrogant way which might encourage the wife to react by being intentionally disobedient. The Prophet (ﷺ) said,

> "Whoever believes in Allah and the last day should not hurt his neighbour and should admonish women in a good way for they have been created from a rib and the most crooked part of a rib is its upper part. If you try to force it straight, it will break; if you leave it alone, it

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[11] Reported by Abu Hurayrah and collected by Aḥmad and Tirmidhi, and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan at-Tirmidhi*, vol. 1, p. 340, hadith no. 928.

[12] Collected by Tirmidhi and ad-Dārimi, and by Ibn Mājah from Ibn 'Abbās, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1 p. 691, and authenticated by Shaykh al-Albāniin *Ṣaḥīḥ Sunan at-Tirmidhi*, vol. 3, p. 245, hadith no. 3057.

[13] Collected by Muslim, (Eng. Trans.), vol. 2, Pp. 615-6, hadith no. 2083. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 546.

will remain crooked. So give advice to women accordingly."[14]

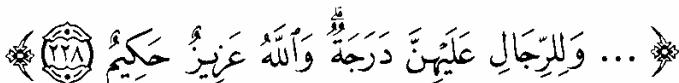
That is, due to a woman's fragile emotional make-up which is ideally suited for child rearing but generally unsuited for ultimate authority, she may wrongly disobey or contradict her husband. Under the influence of her monthly cycles, she may be contrary or highstrung and thus make bad decisions or unreasonable statements. This is a fact of life which men must allow for and deal with gracefully and not harshly. Regarding the aspect of harmony in married life, Allah (ﷻ) has said,

﴿ ... وَعَاشِرُوهُنَّ بِٱلْمَعْرُوفِ ... ﴾ (سورة النساء: ١٩)

"*... Live with them [women] in equity...*" (Qur'an 4: 19)

It is important for man and woman to live together in friendship and harmony, bearing the misfortunes or calamities which might befall one or the other or the family as a whole. It goes without saying that a woman should happily and peacefully fulfill her obligations to her husband, keeping in her mind the fact that she is basically an equal partner sharing rights and obligations with her man. Allah (ﷻ) expressed this fact as follows:

﴿ ... وَلَهُنَّ مِثْلُ ٱلَّذِى عَلَيْهِنَّ بِٱلْمَعْرُوفِ ... ﴾

(سورة البقرة: ٢٢٨)

"*... And women have rights corresponding to the obligations on them, according to what is equitable ...*" (Qur'an 2: 228)

[14] Narrated by Abu Hurayrah and collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 81, hadith no. 114 and Muslim, (Eng. Trans.), vol. 2, Pp. 752-3, hadith no. 3468.

## The greater responsibility of males

In spite of the fact that both parties should be kind toward each other, the right of the husband over his wife is greater than his wife's right over him according to the completion of the previous verse:

(سورة البقرة: ٢٢٨)

"*... But men have a degree over them. And Allah is exalted in power.*" (Qur'an 2: 228)

Emotional make-up which is ideally suited for child rearing but generally unsuited for ultimate authority, she may wrongly disobey or contradict her husband. Under the influence of her monthly cycles, she may be contrary or highstrung and thus make bad decisions or and among mankind. He has made man the dominant member of the pair. There need be no contention on this point as Allah has had the last word on the subject. However, if we look at the animal kingdom, we must confess that a like division also exists among its members. Nor are we aware of any country whether primitive or modern which has more than one reigning head in a position to make ultimate decisions. Every kingdom has a chief and Allah in His All-Encompassing wisdom and absolute knowledge of human nature has chosen man for that role. This choice does not detract from the uniqueness of the woman's role nor does it belittle her in the least. We are well aware of the fact that some women are more intelligent, are more capable of ruling and have a greater degree of talent than some men. We are witnesses to female heads of state, but these cases represent exceptions and not the norm which Allah addresses. In fact, there is an authentic Hadith in which the Prophet (ﷺ) stated that,

> "If mankind had been ordered to prostrate to anyone other than Allah, women would have been ordered to prostrate before their husbands."[15]

This is clear indication of the hierarchy which exists in respect to the roles of males and females and the importance of that hierarchy to the basic unit of human society, the family. In order to reinforce these roles, Allah made the male inheritance portion greater than that of the female. There is no doubt that a man's familial and communal obligations are greater than most woman's obligations in these spheres. It is his duty to support his immediate family and weak kinfolk. In addition to these familial responsibilities, men must be prepared to defend and enlarge the borders of Islam even to the point of bearing arms. Women, under normal circumstances, are exempted from these and other similar obligations. The existing situation in the West, where many women have been obliged to compete with men for work while raising families, is an exception when looked at on a global scale and an aberration when looked at historically. Hence today's situation can not be used to argue that a woman's obligations are equal and exceed those of a man's. In fact recent scientific research has uncovered a wealth of physical differences between men and women all of which affect the performance of males and females in society.[16]

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[15] Narrated by Abu Hurayrah and collected by Tirmidhi, Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 574, hadith no. 2135, and Ibn Mājah and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan at-Tirmidhi*, vol. 1, p. 340, hadith no. 926. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 691.

[16] Jo Durden-Smith and Diane De Simone, "Is There a Superior Sex", *Reader's Digest*, 1982.

## The wife's duties

The Prophet (ﷺ) has instructed women concerning their duties toward their husbands. In Islam it is not permissible for women to fast in their husbands' presence without seeking permission for the fast.[17] Nor is it permissible for her to allow anyone in his house without his permission or to spend his money or use his wealth without his consent. If a wife appropriates his money, she must return half of the money to him.[18] A husband also has the right to order his wife to fulfill her religious duties like bathing after childbirth (after she has stopped bleeding), after menstruation and after intercourse, as prayer is an obligatory duty upon her and prayer is not possible without purity. In addition to ordering her in regard to her religious duties, he can compel her in respect to his right to sex. The Prophet (ﷺ) forbade women from refusing to have sex with their husbands. It has been narrated that the Prophet (ﷺ) said,

> "If a woman refuses her husband's bed and he passes the night in anger, the angels curse her until morning."[19]

Ṭalq ibn 'Ali (رضي الله عنه) reported that Allah's Messenger (ﷺ) said,

> "When a man calls his wife to satisfy his desire, she must go to him even if she is occupied at the oven."[20]

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[17] This refers to voluntary fasts only.

[18] Collected by Bukhari, (Arabic-Eng.), vol. 7, p. 94, hadith no. 123.

[19] Narrated by Abu Hurayrah and collected by Bukhari, Muslim, (Eng. Trans.), vol. 2, p. 732, hadith no. 3368 and Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 574, hadith no. 2136. See also *Mishkāt al-Maṣābiḥ*, (English Trans.), vol. 1, p. 689.

[20] Collected by Tirmidhi, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 340 and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan at-Tirmidhi*, vol. 1, p. 340, hadith no. 927.

This is of course in reference to a woman who unjustly refuses her husband sex in order to control him or make him do certain things for her which are not duties. Such actions upset the natural balance of marriage and put the man who refuses her sexual blackmail under unnecessary emotional pressure which destroys the concept of *sakan* (emotional rest), a fundamental principle of marriage, as was previously pointed out. Naturally, a woman deprived of her rights and left with no other option is not included in the meaning of this Hadith. Additionally, a woman is not permitted to leave her husband's house in order to visit her relatives or friends without his permission, because obedience to one's husband is obligatory while visiting relatives and neighbours is not obligatory, but recommended; and it is not permitted in Islamic law to leave that which is obligatory for that which is recommended.[21] However it must be noted that man has been ordered to live with his wives on a footing of kindness and equity and it would not be equitable to forbid her from seeing her parents, relatives and close friends without a valid reason. On the other hand, women can not be restricted from going to the *'Eid* prayers, since Allah has ordered them to do so. Nor can they be prohibited from going to the mosque even though it is not an obligation on them to do so. Nevertheless, it has been narrated that,

> "A woman's prayer within the confines of her house is better."[22]

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[21] Muhammad ibn Quḍāmah, *al-Mughni*, (Egypt: Matba'ah al-Qāhirah, 1968) vol. 7, p. 21.

[22] Narrated by Ibn 'Umar and collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 1, p. 149, hadith no. 567 and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 1, p. 113, hadith no. 530. See also *Mishkāt al-Maṣābiḥ*, (English Trans.), vol. 1, p. 218.

However, as was mentioned earlier, women must regard obedience to their husbands as a religious duty whose execution will help the former in this life and the next, as the Prophet (ﷺ) said,

> "If a woman says her prayers, fasts her month (Ramaḍān), guards her private parts and obeys her husband, she may enter Paradise by any door she likes."[23]

The Prophet (ﷺ) was once asked,

> "Who is the best among women?" He replied, "She who pleases her husband when he looks at her, obeys him when he bids her and who does not oppose him regarding herself and her riches, fearing his displeasure."[24]

For this reason, women are encouraged to greet their husbands pleasantly and to take care of their personal appearances so that they remain appealing to their husbands. No woman should present herself to her husband with unkempt hair and slovenly appearance. She should generally try to be as neat and clean as circumstances will allow. She should do whatever her husband asks her to do as long as he does not ask her to do something unlawful. She should not refuse to sleep with him when he wants her to, and if he is in need of financial or material help, she should aid him willingly if she is in a position to do so.

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[23] Narrated by Anas and collected by Abu Nu'aym in *al-Ḥilyah*, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 691 and authenticated as *ḥasan* by Shaykh al-Albāni in *Mishkāt al-Masābeeh*, vol. 2, Pp. 971-2, hadith no. 3254, ftn. 1.

[24] Reported by Abu Hurayrah and collected by Nasā'i and al-Bayhaqi in *Shu'ab al-Eemān*, *Mishkāt al-Maṣābiḥ*, (Eng Trans.), vol. 1, p. 694 and authenticated as *ḥasan* by Shaykh al-Albāni in *Mishkāt al-Maṣābiḥ*, vol. 2, p. 972, hadith no. 3272, ftn. 1.

This does not mean that in order to be considered a good wife, one must turn over one's earnings or give one's husband money to buy luxuries like a new Cadillac. Rather, a wife should be ready to help her husband if she is able to do so in case of an emergency or other legitimate needs. Such a woman who tries her utmost to please her husband will, in most cases, find that he will go out of his way to try and please her. Consequently, their marriage will be one of happiness and pleasure.

﴿أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنتُم مِّن وُجْدِكُمْ وَلَا تُضَآرُّوهُنَّ لِتُضَيِّقُوا۟ عَلَيْهِنَّ ...﴿٦﴾ لِيُنفِقْ ذُو سَعَةٍ مِّن سَعَتِهِۦ وَمَن قُدِرَ عَلَيْهِ رِزْقُهُۥ فَلْيُنفِقْ مِمَّآ ءَاتَىٰهُ ٱللَّهُ ۚ لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا مَآ ءَاتَىٰهَا ۚ سَيَجْعَلُ ٱللَّهُ بَعْدَ عُسْرٍ يُسْرًا ﴿٧﴾﴾ (سورة الطلاق: ٦-٧)

*"Lodge them where you are lodging, according to your means and do not harm them to make [life] difficult for them... Let the man of plenty expend out of his plenty. As for him whose provision is limited, let him expend out of what Allah has given him. Allah burdens no one beyond his means. After difficulty, Allah will soon grant relief."* (Qur'an 65: 6-7)

## Obedience to husbands

However, this right of women obliges them to be obedient and to try and make their husbands' homes comfortable and pleasant so that life together is peaceful and harmonious. For this reason, a husband need not support a wife who disobeys him in respect to sex, his privacy and his honour, by refusing to have sex with him, exposing his private affairs and acting dishonourably. Leaving his home as an act of defiance would also be considered

disobedience and her right to support would automatically be dropped. On the other hand, if a husband refuses to provide for or protect his wife without legitimate reasons, she should first try to reason with him and obtain her rights. If he does not come around, then arbitrators should be called upon to help. If arbitration is ineffective, then the wife can go to court for redress or sue for divorce. However, if non-support is based upon reasons beyond the husband's control such as the husband's incarceration, physical disability or poverty, a wife has the choice of bearing the burden with him cheerfully or seeking her freedom. A wife who is wealthy in her own right may forego her right to maintenance altogether and secure the type of food, housing or clothing which she desires for herself. This right may be given up from the beginning of their marriage or at any point during it; however, it is not permanent. At any time that she becomes unable or unwilling to maintain herself, the husband must shoulder the responsibility which Allah has placed squarely upon his shoulders.

The fact that marriage is considered a joint contract in Islam can be illustrated in a number of instances. For example, a man may not practice coitus interruptus (external ejaculation during sex), *'Azl*, without his wife's permission or consent.[25] That is, he is not allowed to deny her complete gratification or offspring without her consent. Likewise, if a woman demands her conjugal rights, then the husband should satisfy her physical needs although there is no sin on him if he does not do so. But as marriage is a means of purification and protection for both parties, it is recommended that he meet her needs in the same way that she is required to respond to his needs. No one can deny that the

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[25] Ibn 'Abbās is reported to have said that permission should be taken from the free woman before doing *'Azl* (al-Ḥusayn ibn Mas'ūd al-Baghawi, *Sharḥ as-Sunnah*, Beirut: al-Maktab al-Islami, 1973, vol. 9, p. 104).

concept of consideration is integral to the functioning of a Muslim family, although it may appear that the majority of the weight is placed upon the woman when one considers that she must obey her husband in all things lawful. However, she need not follow him into evil. If a husband wants his wife to do something which is against Allah's law, she should not obey him. Yet, a wife must obey her husband in all categories which fall under his right, such as not receiving male company without his consent, not disposing of his wealth and possessions without his consent, not leaving the house without his permission and living where he wants her to live.

On the other hand, a man is required to provide for his family. If a man has enough money to provide for his family and still refuses to do so, Islamic law allows a woman to take some of his money without his permission and knowledge. 'Āishah (ﷺ) narrated that Hind bint 'Utbah (wife of Abu Sufyān) came to the Prophet (ﷺ) and said,

> "O' Messenger of Allah, verily, Abu Sufyān is a very stingy man. He does not give me and my son enough to live on except what I take from his wealth without his knowledge. Am I wrong for doing that?" The Prophet (ﷺ) said, "Take from his wealth what is necessary to provide for yourself and your son."[26]

Thus a man must be able and willing to meet the basic and essential needs of a family, otherwise, he should not enter into marriage. And, once he is able and marries he must give his family enough to cover their basic needs or else the state may step in and order him to do so.

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[26] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 208, hadith no. 272 and Muslim. See also *Mishkāt al-Maṣābiḥ*, (English Trans.), vol. 1, p. 714.

Work is the usual avenue by which men find means to take care of their families. For this reason, men may be obliged to spend many hours outside the home. Providing for and protecting the family may be the major duty for most men; nonetheless, men are also faced with the responsibility of ordering and organizing society in an Islamic fashion suitable to the prevailing circumstances. A man may not merely be the bread winner for his family, he may also be mayor of a city, a judge of a district, an officer in the army or hold any number of other positions. He may have commitments which make similar demands or perhaps greater demands upon his person and time than his family does. Consequently, man, protector of the nation, tribe, community and family, spends much of his time and energy in those or related pursuits. A happy marriage enables a man to go about his work with consistent purpose. It is the husband's responsibility to provide for, defend and be considerate toward his wife and family. A woman, on the other hand, is not obligated to leave her home in search of work. Nor does she have to share her home with anyone not in her immediate household (children, husband) if she does not care to do so. She is entitled to rule within her private domain. However, if a wife desire to pursue goals outside of the home for personal development or economic necessity, there is no blame on her if she does so with her husband's consent and approval. And, if a wife is overburdened with the weighty responsibility of managing the household, then the husband should help her in any way which suits their needs and situation.

A woman's primary responsibility in marriage is attendance to the needs of her husband. It is incumbent on her to make the marriage as happy as possible. Her major concern other than her children should be the happiness, comfort and welfare of her spouse. She should try to be honest, faithful, trustworthy, patient

and devoutly obedient. Indeed, she might consider her duty to her husband as one of the roads to Paradise, as the fulfillment of the marriage bond is half of religion.[27] Therefore, marriage should not be treated as one of life's sidelines but should be given the importance and attention that is due it. Accordingly, Islam views marriage as a bond which reflects Allah's mercy to us. He, in His infinite Beneficence granted us mates from among ourselves to whom and from whom we give and take pleasure and support. Each husband and wife are gifts one unto the other and clearly it is part of marriage to be thankful for Allah's blessings to us and cherish His favours by cherishing our mates.

Equality between males and females is not the necessary basis of marital harmony, as is claimed today in the West. Instead, we as Muslims must address the need to understand the different but complementary roles that Allah (ﷻ) has ordained for men and women in this world. It is necessary only to look at our physical bodies to realize that Allah intended men and women for entirely different functions. Every month witnesses the female physiological structure prepare for the process of conception which could culminate in childbirth. Generally speaking, man's capacity for hard physical labour is greater than that of woman. The different but parallel roles can also be clearly seen in the basic need that man has for woman and woman has for man. However, on the spiritual plane, there is no difference between the nature of man and the nature of woman.

Allah (ﷻ) states in the Qur'an:

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[27] Reported by Anas and collected by al-Bayhaqi in *Shu'ab al-Eemān*, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 660 and authenticated as *ḥasan* by Shaykh al-Albāni in *Ṣaḥīḥ al-Jāmi' aṣ-Ṣaghīr*, vol. 1, Pp. 136-7, hadith no. 430.

﴿فَٱسۡتَجَابَ لَهُمۡ رَبُّهُمۡ أَنِّي لَآ أُضِيعُ عَمَلَ عَٰمِلٖ مِّنكُم مِّن ذَكَرٍ أَوۡ أُنثَىٰۖ بَعۡضُكُم مِّنۢ بَعۡضٖۖ ... ١٩٥﴾ (سورة آل عمران: ١٩٥)

*"So their Lord accepted their prayer, saying, 'I will not allow the work of any of you whether males or females to be lost.' You proceed one from another..."* (Qur'an 3: 195)

﴿مَنۡ عَمِلَ صَٰلِحٗا مِّن ذَكَرٍ أَوۡ أُنثَىٰ وَهُوَ مُؤۡمِنٞ فَلَنُحۡيِيَنَّهُۥ حَيَوٰةٗ طَيِّبَةٗۖ وَلَنَجۡزِيَنَّهُمۡ أَجۡرَهُم بِأَحۡسَنِ مَا كَانُواْ يَعۡمَلُونَ ٩٧﴾ (سورة النحل: ٩٧)

*"For whoever works righteousness, man or woman, and has faith, We will give a new life that is good and pure. We will bestow on such people their reward according to the best of their actions."* (Qur'an 16: 97)

In order to live an Islamic life, we have to be willing to completely submit to the injunctions ordained by Allah. Allah knows what is best for us, and He would not command us to other than good. He has given women authority over their husbands' households and fitted their nature to the task. He has also instructed women not to follow un-Islamic life-styles and customs. He said to the wives of the Prophet (ﷺ):

﴿... لَسۡتُنَّ كَأَحَدٖ مِّنَ ٱلنِّسَآءِ إِنِ ٱتَّقَيۡتُنَّۚ فَلَا تَخۡضَعۡنَ بِٱلۡقَوۡلِ فَيَطۡمَعَ ٱلَّذِي فِي قَلۡبِهِۦ مَرَضٞ وَقُلۡنَ قَوۡلٗا مَّعۡرُوفٗا ٣٢ وَقَرۡنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجۡنَ تَبَرُّجَ ٱلۡجَٰهِلِيَّةِ ٱلۡأُولَىٰۖ وَأَقِمۡنَ ٱلصَّلَوٰةَ وَءَاتِينَ ٱلزَّكَوٰةَ وَأَطِعۡنَ ٱللَّهَ وَرَسُولَهُۥٓۚ ... ٣٣﴾

(سورة الأحزاب: ٣٢-٣٣)

> "*...You are not like other women: If you fear Allah, do not be too pleasant in your speech [with men], in case one with a diseased heart should be moved with desire; but speak a straight forward way. And stay quietly in your homes and do not put yourselves on display, as was done in the times of ignorance. And make regular prayers; give regular charity and obey Allah and His apostle...*" (Qur'an 33: 32-33)

## Muslim women not like non-believing women

Muslim women are not like non-believing women and should act as Islamic models for all who may see. Women are not restricted from moving about the community, working or visiting if they are properly covered and, if necessary, escorted, but a woman's base should be her home. This general instruction applies until the last day and Islam cannot be manipulated to suit individual whims or desires: It is here for us to submit to.

# Section Three

# *TA'AD-DUD*: POLYGYNY

*A*s one glances across the history of Islam, one can not help but notice the deep impressions made by faithful believing women who comforted, trusted, endured poverty and hardship, nursed and even fought in battles beside their men — women who willingly hid their charms because of Allah's command and strove to show Islam to all nations — women who were not overly influenced by the lure of the material world and who excelled within the Islamic bounds set for women.

Yet, today there are those who ask what type of woman would marry a man who is already married, without considering the fact that they need go no further than the wives of our Prophet (ﷺ) and other eminent Companions to find the answer. Of course the standard reply is that those were different times. Perhaps they are unaware that Allah's laws as contained in the final dispensation, Islam, are not bound by considerations of time or place, but stand applicable whenever circumstances permit. No Muslim can deny that Allah has sent His last revelation, His last Prophet (ﷺ) and His last Divine law and declared that He will not accept anything other than Islam as religion.

﴿ ... ٱلْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتْمَمْتُ عَلَيْكُمْ نِعْمَتِى وَرَضِيتُ

﴿... لَكُمُ ٱلْإِسْلَـٰمَ دِينًا ... ﴿٣﴾﴾ (سورة المائدة: ٣)

"... *This day have I perfected your religion for you, completed my favour upon you and chosen for you Islam as your religion...*" (Qur'an 5: 3)

﴿وَمَن يَبْتَغِ غَيْرَ ٱلْإِسْلَـٰمِ دِينًا فَلَن يُقْبَلَ مِنْهُ ... ﴿٨٥﴾﴾

(سورة آل عمران: ٨٥)

"*And whoever seeks other than Islam as his religion will not have it accepted...*" (Qur'an 3: 85)

## Legality of polygyny

Allah (ﷻ) has already instructed Muslims in no uncertain terms not to make unlawful that which He has made lawful. Thus, it is not fitting that those who choose to follow the Prophet's Sunnah be condemned for availing themselves of an option given to them by Allah. Polygyny is not a decadent or indecent relationship but a valid part of the marriage system of Islam. Allah (ﷻ) has said:

﴿... فَٱنكِحُوا۟ مَا طَابَ لَكُم مِّنَ ٱلنِّسَآءِ مَثْنَىٰ وَثُلَـٰثَ وَرُبَـٰعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا۟ فَوَٰحِدَةً أَوْ مَا مَلَكَتْ أَيْمَـٰنُكُمْ ذَٰلِكَ أَدْنَىٰٓ أَلَّا تَعُولُوا۟ ﴿٣﴾﴾

(سورة النساء: ٣)

"... *Marry of the women that please you: two, three or four. But if you feel that you shall not be able to deal justly, then only one or what your right hand possesses. That would be more suitable to prevent you from doing injustice.*" (Qur'an 4: 3)

One must note that man is first told to marry two, three or four women, then he is advised to marry only one if he can not deal justly with more than one. This does not mean that Islam encourages all men to marry at least two women, but that such an option is undoubtedly permissible for those who can fulfill its conditions. The verse also sets the upper limit of four in a society in which an unlimited amount of simultaneous marriages were allowed. Thus a man must be able and willing to divide his time and wealth in an equitable fashion before he is allowed to have more than one wife. Conversely, if he is unable to feed, clothe and house all his wives justly, then, according to this Qur'anic command, he should not marry more than one. The point is that the permissibility of polygyny has been exemplified in the Sunnah of the Prophet Muhammad (ﷺ) who was allowed by Allah to marry nine women during the same time period. It is true that many of the marriages were for socio-political purposes like encouraging the marriage of widows, breaking certain taboos and linking clans; however, the Prophet (ﷺ) still married those who pleased him and turned down those who did not.

Nevertheless, many Muslims today find the subject of polygyny distasteful and insist on considering plural marriage demeaning to women. This is primarily because the roles of men and women in western society, at least, have become severely distorted. Women openly compete with men for the same jobs; men sue their wives for support payments; women's clothing styles include suits and ties; men's clothing styles include bracelets, necklaces, ear rings and long hair, and both sexes wear interchangeable clothing under the title of "unisex". The female has lost her natural position of protection in western society and is thus obliged to fight for equality with the male. Under such circumstances, it is not surprising to find western women and their

eastern counterparts vehemently opposed to polygyny. Very few women in liberated western society consider obedience to their men a necessity for smooth married life. In fact, obedience to one's husband is not even considered a positive characteristic worthy of development in a woman. Even fewer modern women are willing to admit that differences exist between men and women; that God made allowances for man's role as leader, provider and protector. Western women deny these things in spite of the fact that the same differences are communicated in insidious ways in western society, itself. Women are sexually harassed when at work and are often forced to prostitute themselves in order to keep their positions or in order to get an advance; men outnumber women in positions of power (there has yet to be a female president of the United States) and most of the lower paid menial occupations which involve service (waitresses, cashiers, etc.) continue to be filled by women in spite of new roles which women are said to be assuming in the West. However, Islam teaches us that Allah created everything in pairs, the male and the female, and assigned for them roles accordingly. Allah tells us in the Qur'an:

﴿ٱلرِّجَالُ قَوَّٰمُونَ عَلَى ٱلنِّسَآءِ بِمَا فَضَّلَ ٱللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَآ أَنفَقُوا۟ مِنْ أَمْوَٰلِهِمْ ۚ فَٱلصَّٰلِحَٰتُ قَٰنِتَٰتٌ حَٰفِظَٰتٌ لِّلْغَيْبِ بِمَا حَفِظَ ٱللَّهُ ... ﴿٣٤﴾﴾ (سورة النساء: ٣٤)

"*Men are the protectors and maintainers of women, because Allah has given the one more than the other and because they support them from their means. Therefore, the righteous women are devoutly obedient and guard in the absence [of their men] what Allah would have them guard [of their chastity*

*and honour]...*" (Qur'an 4: 34)

﴿وَمِنْ ءَايَٰتِهِۦٓ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَٰجًا لِّتَسْكُنُوٓا۟ إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً ۚ إِنَّ فِى ذَٰلِكَ لَءَايَٰتٍ لِّقَوْمٍ يَتَفَكَّرُونَ ﴿٢١﴾﴾ (سورة الرُّوم: ٢١)

"*And among His signs is that He created for you mates from among yourselves. And He has put love and mercy between you that you may live in tranquility with them. Verily, in that are signs for those who reflect.*" (Qur'an 30: 21)

Islam has defined the male role as that of provider and protector; whereas, the female has been given a supportive and dependant role which naturally involves a certain amount of submission and obedience to the male. The outlook of Islam towards the roles of males and females is thus in complete contrast to that of twentieth century western society. The position of women in the West today may appear progressive from the standpoint of voting rights, property rights and educational opportunities, but from the standpoint of the family their position has degenerated alarmingly. The expulsion of women from their natural roles within the family is part of the symptoms of a declining culture. The fact that western culture and society is dying has been proclaimed on the covers of *Newsweek* and *Time* magazines. The incidence of illegitimate birth has risen rapidly in the West during the last few years and teenage pregnancies have become a norm. Stories of wife swapping, child abuse and various sexual diseases like herpes and A.I.D.S linked to sexual promiscuity should lead any sane person to question the sexual mores of western society and the problems of enforced monogamy.

## Women outnumber men

Women outnumber men at birth and live longer than men do. American women today can expect to live to be 77.9 years old and men can expect to live to age 70.3 according to the Center for Health Statistics. Couple that with the high incidence of violent crime among males, their war dead and the rise in the rates of homosexuality it becomes obvious that there are not enough men for each woman to have one. Thus many women are obliged to become mistresses, girlfriends and playmates to fulfill their natural physical needs, leaving their psychological needs distorted in such demeaning relationships. Muslims can choose to join the West in its death throes, falsely called "progress" and "sophistication", or choose to retain Islamic values. It is a fact that the average married western citizen continues to seek personal sexual freedom outside the framework of marriage. Serial or progressive monogamy in which a person remarries a number of times is so widespread today that it has arrived as an alternative marriage structure in American society. Some researchers predict that we are close to the day when 85 % of all men and women reaching the age of sixty-five (in the United States) will have been remarried at least once. Thus we can see that an Islamic society, which honours, shelters and protects women, is definitely preferable to a corrupt open society which forces women into despicable roles out of desperation or ignorance in order to compete with men for survival. Men are the natural guardians of women and every woman should be under the care of a guardian.

## Male sex-drive and the veil

There is no doubt that no woman relishes the thought of sharing her husband with another and that plural marriages

provide a base for jealousies to arise. However, the laws of Islam always give precedence to the general welfare of society over individual discomfort or personal preferences. Hence the Islamic marriage system includes polygyny to protect and provide for the ever present surplus of females in most human societies. The institution of polygyny in the Islamic marriage system also takes into account certain undeniable aspects of human nature which affect male-female relationships. These aspects represent the natural instincts which must be present in order for men to be prepared and able to provide for the physical and emotional needs of the surplus females in society. Simply stated, men must have a greater instinctual sexual drive and a natural desire to have more than one wife. The first of these two facts is borne out by scientific studies conducted by the likes of Dr. Masters and Dr. Johnson and those researchers who followed in their footsteps. It has clearly been established through their clinical researches that men in general are much more easily aroused sexually than women. This is borne out in the high frequency of "premature ejaculation" in men and statistics on the vast number of women who never experience orgasm during their marriages. The second fact is obvious from the high frequency of extra-marital sex among western males as opposed to females and the historical existence of institutionalized polygyny in human society at all stages of recorded human history and in all present day "primitive societies" which have been studied, with very few exceptions. The answer as to why women, in general, tend to be less easily aroused sexually than man and more satisfied with one mate under normal conditions lies in the societal need for family structure and stability. These factors must be naturally present in women for there to be any stability in family relations. That is, if most women were naturally like men in these two aspects, families could never be established. This fact is borne out by the tremendous

breakdown of the family structure in western society due to the so-called "sexual revolution". Single parent families have become a recognized and accepted variation of family structure in spite of its inherent socio-economic weakness and the documented psychological damage which often results among its members.

Given these natural but complementary differences between men and women and the normal and natural attraction which exists between the sexes, Islam enjoins modesty in society in order to avoid sexual chaos and the harassment of females.

As mentioned previously, in Islam women are advised not to make a public display of their beauty and finery. Women are also obliged, whether outside or inside their homes, to cover all of their bodies except their faces and hands when in the presence of men whom they could possibly marry. The covering must also be loose and opaque so as not to reveal the woman's shape or what she is wearing underneath it.

In the Qur'an, Allah (ﷻ) instructs females as follows:

﴿وَقُل لِّلْمُؤْمِنَٰتِ ... وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ ءَابَآئِهِنَّ أَوْ ءَابَآءِ بُعُولَتِهِنَّ أَوْ أَبْنَآئِهِنَّ أَوْ أَبْنَآءِ بُعُولَتِهِنَّ أَوْ إِخْوَٰنِهِنَّ أَوْ بَنِىٓ إِخْوَٰنِهِنَّ أَوْ بَنِىٓ أَخَوَٰتِهِنَّ أَوْ نِسَآئِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَٰنُهُنَّ أَوِ ٱلتَّٰبِعِينَ غَيْرِ أُو۟لِى ٱلْإِرْبَةِ مِنَ ٱلرِّجَالِ أَوِ ٱلطِّفْلِ ٱلَّذِينَ لَمْ يَظْهَرُوا۟ عَلَىٰ عَوْرَٰتِ ٱلنِّسَآءِ ... ﴿٣١﴾

(سورة النور : ٣١)

"*And say to the believing women ... that they should not display their beauty and ornaments except what*

*[ordinarily] appears thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers and their brothers' sons or their sisters' sons or their women or the slaves whom their right hands possess, or male servants free of physical need or small children who have no awareness of sex...*" (Qur'an 24: 31)

﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ قُل لِّأَزْوَٰجِكَ وَبَنَاتِكَ وَنِسَآءِ ٱلْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِن جَلَٰبِيبِهِنَّ ذَٰلِكَ أَدْنَىٰٓ أَن يُعْرَفْنَ فَلَا يُؤْذَيْنَ ... ﴿٥٩﴾﴾

(سورة الأحزاب: ٥٩)

"*O' Prophet! Tell your wives, daughters and the believing women to cast their outer garments over themselves [when outside]. That is best in order that they might be known and not molested...*"

(Qur'an 33: 59)

The purpose of the cloaks and covering is not to make the women inconspicuous as some have mistakenly understood. Some sisters in the West have avoided wearing the coat and scarf claiming that it draws attention to themselves, whereas, they claim, a Muslim woman's dress should not draw male attention to them. However, the dress of the woman is meant to be particularly conspicuous "in order that they be known and not molested". When women in the West abide by the Islamic code of dress and character (i.e., non-flirtatious) in most cases it brings respect. Men consider them to be some order of nuns and therefore unapproachable. Many Muslim sisters have testified to this fact — that in their full Islamic dress (coat and large scarf) men tend not

to make any sexual advances and in fact become overly polite and gentlemanly. Men are also obliged to wear loose fitting clothes which do not display their private parts or call attention to their sexuality. However, the stress is on the female for her own protection and because it is the over-aroused male who often attacks the beautiful female and not vice versa.

Women are free to beautify themselves within the confines of their homes for the delight of their husbands or close unmarriageable relatives (men within the forbidden degrees of marriage). Certainly, Allah has not denied them this right as He says in the Qur'an:

"*Say, 'Who has forbidden the beautiful [gifts] of Allah which He has produced for His servants, and the things pure and clean [which He has provided] for sustenance'...*" (Qur'an 7: 32)

The desire to look attractive is a human characteristic, yet that attractiveness should not be a source of destruction for men or women. Instead of revealing their beauty to the world and inciting men to sin, women should seek to look attractive in order to comfort and retain their husbands' respect and love. For this reason women are also forbidden to wear make-up and scented oils or perfume in the streets or anywhere in which it is possible for men outside of the forbidden degrees of marriage to see or smell them.

The Prophet (ﷺ) is reported to have said,

"Every eye is adulterous, and when a woman perfumes

herself and passes a company, she is such and such (meaning adulterous)."[1]

Every citizen of the West is aware of the high incidence of rapes and sexual harassment perpetrated on women in western society. These violations are a direct result of the high level of sexual enticement present on all levels of western life. Dress which originally was intended to cover the private parts of men and women and protect the body from the elements has become a means of displaying the body in the most vulgar fashions. Most male-oriented commodities, from cars to shaving razors are advertised by alluring half-naked females, while virile males are used in the advertisements of female-oriented commodities. Islam also protects women from this type of sexual brutality by generally prohibiting undue mixing of marriageable males and females. And it even goes one step further by instructing men and women to avoid staring at each other. Allah (ﷻ) says in the Qur'an:

"*And say to the believing men that they should lower their gaze and guard their modesty; that will make for greater purity for them; and Allah is well acquainted with all that they do.*" (Qur'an 24: 30)

[1] Reported by Abu Mūsa and collected by Tirmidhi, Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 3, Pp. 1161-2, hadith no. 4161 and Nasā'i, and authenticated as *ḥasan* by Shaykh al-Albāni in *Mishkāt al-Maṣābiḥ*, vol. 1, p. 334-5, hadith no. 1065, ftn. 1.

(سورة النور: ٣١)

*"And say to the believing women that they should lower their gaze and guard their modesty..."*

(Qur'an 24: 31)

This does not imply that men and women should go around the society staring at the ground as this is most impractical and unreasonable. What it does mean is that when men and women see each other, they should not take pleasure in staring at each other nor should they look each other up and down. The Prophet (ﷺ) said,

> "Allah has decreed for man his portion of fornication which he will inevitably commit. The fornication of the eyes consists in looking, and of the tongue in speech. The soul wishes and desires, and the private parts accord with that or reject it."[2]

Burayda reported the Prophet (ﷺ) as saying to 'Ali (رضي الله عنه),

> "Do not give a second look (to women), 'Ali, for while you are not to blame for the first, you have no right to the second."[3]

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[2] Reported by Abu Hurayrah and collected by Bukhari, Muslim (Eng. Trans.), vol. 1, Pp. 1397-8, hadith no. 6421 and Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, Pp. 576-7, hadith no. 2147. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 25.

[3] Collected by Aḥmad, Tirmidhi, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 662 and Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 576, hadith no. 2144, and authenticated as *ḥasan* by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 403, hadith no. 1881.

The Islamic institution of polygyny also takes into consideration socio-psychological limitations inherent in man. Men, generally, get married in order to satisfy their physical and psychological desires for female companionship. However, a man may marry a woman when he is young or immature and for various emotional reasons may later find her unsuitable and find himself unable to find contentment and happiness with her. Or a man may be married to a barren woman or a woman whose interests are very different from his. Outside of Islam, such a man would find it necessary to divorce his wife or indulge in extra-marital relationships in order to be with a more compatible person or a person able to bear his children. Sometimes a man may long for variety and a different personality type after a long period of marriage. Or some women lose their beauty in old age so their men might be inclined to look around for younger women to whom they may be attracted. In all of the above-mentioned circumstances, Islam supports family unity while recognizing the individual's desires by encouraging the man to keep his wife and allowing him to satisfy his needs by marrying another wife if he is able to fulfill the requirements of plural marriage in Islam.

## Conditions for plural marriages

However, certain conditions are attached to plural marriage in Islam in order to protect the women involved because it is invariably the women who are taken advantage of in such relationships. For example, a man may not have more than four wives at a time and each marriage contract is legal and binding, involving the same rights, responsibilities and obligations as the first contract. That is, wife number one is not the mother or chief of all subsequent wives, nor is wife number four allowed preferential treatment at the expense of the other wives. Each

individual marriage contract carries the same amount of weight in an Islamic court of law and thus men are not allowed to openly attach greater importance to one at the expense of the other. Such behaviour would not be equitable treatment and might even be construed as oppression.

In fact the Prophet (ﷺ) is reported to have said,

> "Whoever has two wives and leans unduly to one of them will come on the Day of Judgement with half of his body leaning."[4]

So the man must live with all of his wives on a footing of equality and kindness. In fact, the whole question of permissibility of plural marriages in Islam is tied to a given man's ability to deal justly with all his wives in terms of his time and wealth.

Love, as it is known in the West, is not a prerequisite for marriage in Islam; hence the concept of plural marriages does not have as emotionally devastating an effect on true Muslim women as it would have on their non-Muslim counterparts, except where western influences are great. The most important factor in a truly Islamic marriage is the piety of the partners involved. This fact was alluded to by the Prophet (ﷺ) in the following statement:

> "A woman may be married for four reasons: for her property (wealth), her rank (lineage), her beauty and her religion. However, you should marry the one who is religious and you will be satisfied."[5]

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[4] Reported by Abu Hurayrah and collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 572, hadith no. 2128, Tirmidhi and Ibn Mājah, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 687, and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 400, hadith no. 1867.

[5] Reported by Abu Hurayrah and collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, Pp. 18-9, hadith no. 27, Muslim, (Eng. Trans.), vol. 2, p. 749, hadith=

Besides the reasons mentioned above, a woman may also marry for other reasons, such as security, offspring and companionship. However, in Islam, love usually follows marriage, so it is better to marry a religious, pious, disciplined man and love for Allah's pleasure rather than to develop a pre-marital romantic fixation which often fades in time due to the inevitable trials of marriage. Within western society, women are brought up to believe that marriage may be for one of two things; love or money. The idea of romantic love and wealth are presented as the most important aspects of life. Women are openly and subliminally seduced with this concept by the media in the form of serials on television, romantic novels, magazines, movies and commercial advertisements. Even children's fairy tales beguile little girls with the notion that only true love and money can make her happy. So many women in western society are brought up to believe that one day Prince Charming or a knight in shinning armour will suddenly appear and carry her away if only she is beautiful and fortunate enough to catch his attention. In order to satisfy this artificially created desire, women go to extremes in dress, hair styles and make-up to attract the opposite sex. Other women change partners whenever fatigue sets into a relationship, in the misguided hope that the next one will be the one. The emphasis on love before marriage, love before honour and love above every thing is negative and self-destructive. Due to emphasis on romantic love within western culture, it is difficult for people (Muslims included) to comprehend the concept of love after marriage; love for the sake of Allah and love built on the virtues of loyalty, trust and faith in Allah. According to Islamic tradition, the Prophet (ﷺ) and his Companions married for a

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=no. 3457 and Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, hadith no. 544-5, and hadith no. 2042.

variety of reasons. They married widows with children, divorced women and captives of war in order to consolidate and reconcile groups to the Islamic cause, in addition to marrying for the normal reasons which men marry for.

Islam as it was revealed to the Prophet (ﷺ) is a complete way of life which leaves no aspect of life without regulations, enabling Muslims whether male or female to stay on the correct path. Hence, if a man is able to care for and take care of more than one wife *justly*, there is no sin on him if he does so. On the contrary, he should be commended for following the Sunnah of the Prophet (ﷺ) and fulfilling his role as a guardian of women.

# Section Four

# DIVISION IN PLURAL MARRIAGES

Allah, the Almighty, All-Merciful, has honoured all mankind with the blessing of Islam and He has honoured women further by choosing them as the means by which human life is nurtured and perpetuated on earth. Furthermore, the rights and honour of the Muslim woman have been made secure by Allah's directives concerning the treatment of women:

﴿ ... وَعَاشِرُوهُنَّ بِٱلْمَعْرُوفِ ... ﴿١٩﴾ ﴾ (سورة النساء: ١٩)

"*... Live with them [women] in kindness and equity ...*" (Qur'an 4: 19)

Man has been instructed to care for his wives in an equitable fashion. The implication is straightforward and profound. Wives should be accorded the best possible treatment. Even if a man finds that he is bored with his wife or that he dislikes her, he should not mistreat her because it is possible that although he dislikes one quality in her, he may find other qualities which compensate for that which he dislikes. If a man having more than one wife finds that his affection gravitates towards one more so than the other(s), he should treat all outwardly well without turning away from one altogether.

﴿ ... فَلَا تَمِيلُوا۟ كُلَّ ٱلْمَيْلِ فَتَذَرُوهَا كَٱلْمُعَلَّقَةِ ... ﴿١٢٩﴾ ﴾

(سورة النساء: ١٢٩)

"... *Do not turn away altogether and leave her hanging...*" (Qur'an 4: 129)

Nor should a husband having more than one wife make his inclination so obvious as to kindle jealousy and ill-feeling which may lead to constant hostility among the wives.

Nevertheless, we must bow to the fact that love is destined by Allah and can not be forced to appear where Allah has not willed it. This situation is analogous to friendships which exist among members of the same sex. We admit to having or having had deeper feelings for one or more of our friends than others, due to greater similarity in interests or greater compatibility for whatever reason. Similarly, parents may actually be fonder of one or more of their children than others among them; however, parents usually refrain from showing this inclination openly and Islam forbids it. Nonetheless, our various friendships are not negated by an inevitable greater intimacy with some of our friends over others, nor does a greater inclination toward one child negate the love that is felt for all. Man is unable to control his emotions in the ultimate sense. They arise in him when he least expects them, hence, he cannot willfully decide where his heart is going to lodge. The fact that man has no real control over love and affection is supported by a number of Qur'anic verses:

(سورة الأنفال: ٢٤)

"... *Know that it is Allah who comes between a man and his heart...*" (Qur'an 8: 24)

"*... But Allah put affection between their hearts...*"
(Qur'an 8: 63)

An illustration of this fact can be seen in a narration from 'Umar ibn al-Khaṭṭāb (ﷺ) in which he said,

> "When I once said,
> 'O' Messenger of Allah, what if I went to Ḥafṣah and said to her, do not be misled because your co-wife and neighbour ('Ā'ishah) is more beautiful and beloved to the Prophet (ﷺ).'
> He (the Prophet) smiled approvingly."[1]

In another narration, 'Ā'ishah (ﷺ) stated,

> "Allah's Messenger used to divide his time equally amongst us and would pray, 'O' Allah, this is my division in what I posses, so please do not hold me to blame for the division (of affection) which only You control.'"[2]

Both hadiths refer to the greater feelings that the Prophet Muhammad (ﷺ) was known to have had for one of his wives over the others. Yet, in spite of his emotional inclinations, he divided his time and wealth equally among all of them. Thus it is recommended, based on the example of the Prophet, that all men

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[1] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 108, hadith no. 145 and Muslim. Note: Ḥafṣah was the daughter of 'Umar and one of the wives of the Prophet (ﷺ).

[2] Collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 572, hadith no. 2129, Tirmidhi, Nasā'i, Ibn Mājah and Aḥmad, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 687 and authenticated by Shaykh al-Albāni in *Mishkāt al-Maṣābiḥ*, vol. 2, p. 965, hadith no. 3235, ftn. 1, as well as by al-Arnā'oot in *Jāmi' al-Uṣool*, vol. 11, p. 514, hadith no. 9090 ftn. 1.

married to more than one wife be equal in the division that they are capable of controlling, namely time and wealth.

## The principle of equality

The importance of equitable treatment in regard to time and wealth can not be overstressed as it is the major factor excluding the established pre-requisites for marriage, in general, that a man can weigh and assess in his day to day inter-action with his wives. Unfortunately, there are some modern-day Muslims, under the influences of western thought, who have misinterpreted some Qur'anic verses in order to support their arguments for monogamy and the abolition of polygyny. However, the equality referred to in *Sūrah an-Nisā'*:

﴿... فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً ... ③﴾ (سورة النساء: ٣)

"*... If you fear that you will not be able to deal justly with them then only one...*" (Qur'an 4: 3)

— is referring to time and money; whereas, the equality mentioned in *Sūrah an-Nisā'* verse 129 refers to that which no man or woman has control over but which belongs exclusively to Allah's decree.

﴿وَلَن تَسْتَطِيعُوا أَن تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ ... ⑫⑨﴾ (سورة النساء: ١٢٩)

"*You will never be able to do perfect justice between wives even if it is your ardent desire...*" (Qur'an 4: 129)

The Prophet's Companions, 'Ubaydah as-Salmāni (رضي الله عنه) and Ibn 'Abbās (رضي الله عنه), both stated that the equality spoken of in *Sūrah*

*an-Nisā'* verse 129 refers to love and sex.[3] Furthermore, we must take note of the fact that even the Prophet (ﷺ) begged pardon for that which was not in his possession, the feelings of love, affection or sympathy which were known to be greater for one of his wives than the others. Yet, Allah (ﷻ), allowed the Prophet (ﷺ) to marry a greater number of women than was allowed to ordinary Muslim men. Thus any attempt to forbid polygyny on the basis that a man might love one of the women more than the others is futile and baseless because this factor cannot be used as a gauge for justice in Islamic plural marriages.

## Beginning division

Even a man with the most sincere intention and the most upright character might find himself in a dilemma concerning the initiation of time division. He might on numerous occasions experience difficulty in determining which wife he should start the division of his time with. An unbiased decision is necessary because whichever wife one begins with could be looked upon as receiving preferential treatment. If such division is left merely to the whims of the men, the likelihood of their preferences creating injustice is great, not to mention the likely dissatisfaction among the wives who were not chosen, regardless of how reasonable the man may try to be.

No hard and fast methods have been set in Islamic law for how this decision should be made. However, whatever method is used to determine where the division should begin, that method should not unjustly favour any of the wives. A simple method endorsed by Islamic law (by the Prophet's practice) is the drawing of lots (*qur'ah*) each time a process of equal time division is

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[3] *Al-Mughni*, vol. 7, Pp. 316-7.

necessitated and no previous rights have been established. An example of such necessity would be right after marriage to a new wife if the man already has one or more wives. Immediately after a man gets married again, he must re-organize how his time is divided between his wives. By drawing lots it is possible to determine dispassionately who gets the first time period. If there are three wives, then two drawings would be necessary, one to see who gets the first period of time and then an additional drawing to determine who receives the second time period. And, in the case of four wives, three drawings would be required. Another example is the case where the husband wants to take a trip and is only able to take one of his wives. Yet another is the case when the husband intends to give his wives presents but is unable to do so at the same time.

One possible method of determination mentioned by scholars suggests that the husband write numbers on the lots (slips of paper) indicating the order of the nights, he must then shake the lots within a container and then hand the lots to the individual wives as he picks them from the container.[4] Thus the drawing of lots can be resorted to whenever the husband needs to assign a portion of his time impartially. The method or form used to draw the lots should preferably be one which is acceptable to all, although the final decision lies in the husband's hands. There is, however, an exception to this general rule of equity in the assignment of time periods. When a new wife is married, she is given a preferential period of three or seven days within which the husband and wife may get used to each other. At the end of this acquaintance period the cycle of division among all of the wives must begin anew.

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[4] *Al-Mughni*, Vol. 7, Pp. 301-302.

## Time division

The division of time according to Islamic law is generally made according to the nights, due to the fact that night is usually the time in which mankind relaxes from work and takes rest. During the night, people take refuge in their homes from the struggles of the outside world and men and women spend their most intimate time together. This division of the night and day was divinely ordained and ordered to suit man's nature, as Allah (ﷻ) states in the Qur'an:

"... *He makes the nights for rest and tranquility...*"
(Qur'an 6: 96)

"*And made the days as a means of subsistence.*"
(Qur'an 78: 11)

Thus a man married to more than one wife should divide the nights among his wives while the day is his to earn a living, to take care of other people's needs or whatever else a man wishes to do as long as it is lawful. If a man is a student he will probably be attending lectures during the day; if he is a merchant, he will be busy in the concerns of his trade and if he is unemployed, then he should be busy seeking employment in order to fulfill the rights that people have on him. Whatever a man's profession might be, he will probably be engaged in it during a major portion of the day. An exception may be made in the case of a night watchman or anyone whose working hours are mainly at night. In such cases, days would be divided among the wives since his nights are like

the days of others. Hence it could be said that the division of time is based on the time period allotted to sleep or rest.

The resting periods must be divided equally among the wives. A man may divide the nights by giving one to each wife according to the Prophet's practice; however, he may also divide them on the basis of two to each or three to each wife. If, however, a man has four wives it would be preferable to divide his time on the basis of one night each, whereby, each wife would get a chance to be with her husband every three days. A division on the basis of two nights would mean that each wife would only be with the husband after an interlude of six days. Under normal circumstances, the day up until *Maghrib* (setting of the sun and the time of the fourth daily prayer) is considered a part of the previous night which started at *Maghrib* on the previous day according to the lunar calendar. Consequently, the first day of the month of Ramaḍān, for example, begins at *Maghrib* on the last day of *Sha'abān* (the previous month) and "*Laylatul Jumu'ah* (literally Friday night)" is Thursday night according to the solar calendar. So if a man wants to rest during the day time, he should do so in the home of the wife with whom he spend the previous night as it is her right. Similarly, his day time meals should be taken at the home of the wife to whom the day belongs. The fact that days are counted as well as nights is based on an authentic hadith in which Sawdah (رضي الله عنها) (one of the wives of the Prophet) was reported to have given the whole of her day to 'Ā'ishah (رضي الله عنها).[5] This fact can also be found in 'Ā'ishah's statement,

[5] Collected by Bukhari. (Arabic-English Trans.), vol. 7, p. 104, hadith no. 139, Muslim, (English Trans.), vol. 2, p. 747, hadith no. 3451 and Abu Dawūd, *Sunan Abi Dawūd*, (English Trans.), vol. 2, p. 572, hadith no. 2130. See also *Mishkāt al-Maṣābiḥ*, (English Trans.), vol. 1, p. 686.

> "The soul of Allah's Messenger was taken in my house and on my day."[6]

Nevertheless, adding the day to the following night according to western practice is also allowable since there would be no difference in total time as long as the man is consistent and equal in the division of his time. He should not allocate time at will but should decide upon a feasible programme and follow it. Nor is he allowed to favour some of his wives with extra time for any reason whatsoever unless he makes up that time to the other wives at a later date. For example, it may seem logical for the husband to spend more time in the residences where there are children (in a case where one or more wives have children and others do not) to be able to fulfill the needs of children. However, the correct approach is to limit such visits to short periods which do not require making up and to take the children out of their homes to parks or to house of the wife whose turn it is, if possible. The children's right to time is considered independent of their mother's right according to law and if they are over-lapped injustice to co-wives will result unless the time is made up later on.

## The wife's right to time

According to Islamic law, if a man has only one wife, it is obligatory for him to spend one night out of every four with her if he does not have a legitimate excuse not to do so. This principle was deduced from the following incident which occurred during the time of the second Caliph, 'Umar ibn al-Khaṭṭāb (رضي الله عنه). Once when K'ab ibn Sawr (رضي الله عنه) was sitting with Caliph 'Umar ibn al-

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[6] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 107, hadith no. 144 and Muslim. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), Lahore; vol. 1, p. 686.

Khaṭṭāb, a woman came to the Caliph and sought his ruling saying,

> "O' *Amīr al-Mu'minīn,*[7] I have never seen a man better than my husband. I swear by Allah that he spends the whole night standing in prayer and the whole day fasting." On hearing that 'Umar prayed Allah to forgive her and praised her good fortune to have so righteous a husband. So the woman shyly got up and began to leave with her husband. K'ab turned to 'Umar and quietly said, "O' *Amīr al-Mu'minīn* have you not oppressed the woman with her husband?" 'Umar replied to K'ab, "You go ahead and judge between them for certainly you have understood something about their affair that I did not." K'ab then said, "Verily, I see her like a woman along with three other women and she is the fourth. So, I rule for him three days and nights in which he can worship and fast and for her a day and a night (in which he must attend to her human needs)." K'ab then turned to the husband and said, "O' husband, verily, she has a right that you should sleep with her once in every four days if you are to be just."[8]

'Umar praised K'ab for his great judicial abilities and appointed him chief judge of the city of Baṣrah.

Thus a man who has four wives must allot to each wife one night out of four or some multiple of that ratio mutually agreed upon. Equal division of time must also be made for women unable

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[7] Literally "Leader of the faithful". A title which was given to 'Umar and the Caliphs who succeeded him as leaders of the Islamic State.

[8] Collected by Abu 'Ubaydah Mu'ammar ibn al-Muthannā in the book, *Akhbār Qudāt al-Baṣrah* (quoted in *al-Mughni*, vol. 7, p. 203).

to have sex; for example, sick women, menstruating women, young girls who are not sexually able, women in *Nifās* (the period after childbirth), women in *iḥrām*.[9] and women who have passed menopause with no desire for sex, unless they decide to give up their right.[10] The reason that equal time is insisted upon in Islam even if women are unable to have sex is based upon the woman's psychological and emotional need for companionship for which marriage was ordained. That need in most cases increases when women are disabled temporarily or permanently. Thus even insane women according to law have a right to equal time division if they are not dangerously insane. Husbands are also required according to Islamic law to divide their time equally even if they themselves are ill as long as the wives demand it. This point of law is illustrated by the Prophet's wife, 'Ā'ishah's, statement that

> "Allah's Messenger visited all of his wives in turn when he was sick and would ask, 'Where shall I be tomorrow?' "[11]

However, when it became difficult for him to move around, he asked permission to remain with 'Ā'ishah (ﷺ). 'Ā'ishah related that,

> "When Allah's Messenger was ill, he called all of his wives together and said,
> "Verily, I am no longer able to visit all of you, so, if you

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[9] Sex is not allowed once one has donned clothing for 'Umrah or Ḥajj and made the intention to do one or both of them.

[10] When the Prophet's third wife, Sawdah, became old, she gave up her turn to be with the Prophet to 'Ā'ishah. See Muslim, (Eng. Trans.), vol. 2, p. 747, hadith no. 345.

[11] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 107, hadith no. 144. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 345.

do not mind that I remain with ‘Ā’ishah, please allow me to do so.”[12]

If the wives refuse to give that sick or invalid husband permission to stay with the wife of his choice, he should stay with one of them by *Qur‘ah* (drawing of lots) or he should stay away from all of them if he prefers. In the case of an insane husband who is not dangerous, it is recommended that a guardian for the women (for example one of their close relatives) should accompany him to help him correctly make this division of time. If the guardian is not equal in his division by favouring one wife over another, and the insane husband regains his sanity, he is obliged to compensate those who did not get their rights.

## Time rights of a new wife

The extra free time for acquaintance given to the virgin bride is obviously needed due to the newness of marriage and sex to her, whereas the previously married bride in most cases is familiar with both and needs only a chance to become familiar with her new partner.[13] However, the option of seven days is also given for the widow or divorcee in order to allow for cases wherein marriage and sex may be as new to her as to the virgin. This applies in cases where her previous marriage was extremely short or even unconsummated or the lapse of time between her previous marriage and her re-marriage was great. When an already married man marries a new wife, he is allowed by law an acquaintance period with his new wife of seven consecutive days

[12] Collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), Vol. 2, p. 573, hadith no. 2132 and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 401, hadith no. 1870.

[13] *Sharḥ as-Sunnah*, vol. 9, p. 156.

if she is a virgin and three days if she has been married previously. He does this without making up the time for the remaining wife or wives. This law is based on the *Ṣaḥābi*, Anas (ﷺ), report,

> "It is from the Sunnah (the Prophet's practice) if a man marries a virgin that he stay with the virgin wife for seven days and then divide his time equally after that. And, if he marries a woman who was previously married, not a virgin, he should stay with her for three days then divide his time equally."[14]

However, if the previously married new wife requests seven days for herself, he may also do that but he must make up the full time with the other wives. Abu Bakr ibn al-Ḥārith (ﷺ) reported that on the following morning after the Prophet (ﷺ) married Umm Salamah (ﷺ), he said to her,

> "Do not feel that you are unimportant among your people, for if you wish, I will spend seven days (with you) and spend seven with the rest of my wives or if you wish, I will spend three days with you and divide the time equally after that." She replied, "Make it three."[15]

Thus as soon as the new wife has been given her time right, the husband is obliged to begin dividing his time equally among the remaining wives, by drawing lots to determine with whom he will start.

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[14] Collected by Bukhari, and Muslim (Eng. Trans.), vol. 2, p. 746, hadith no. 3448. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 686 and Muhammad Raḥimuddin's *Muwaṭṭa Imam Mālik*, (Eng. Trans.), Lahore: Sh. Muhammad Ashraf Publishers, 1980, p. 234, hadith no. 1076.

[15] Collected by Muslim, (Eng. Trans.), vol. 2, p. 746, hadith no. 3444. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 686 and *Muwaṭṭa Imam Mālik*, (Eng. Trans.), p. 234, hadith no. 1075.

# Conjugal rights

According to some scholars, sex is compulsory unless the husband has a valid reason for abstaining.[16] This opinion is based on a hadith of 'Abdullah ibn 'Amr al-'Āṣ (رضي الله عنه) in which he narrated that the Prophet (ﷺ) said,

> "O' 'Abdullah, have I not been informed that you fast all day and pray all night?"
> 'Amr replied, "Yes, O' Messenger of Allah."
> So the Prophet said,
> "Do not do that. Fast and break your fast, stay up at night and pray and then sleep, for verily, your body has a right on you, your eye has a right on you and your wife has a right on you."[17]

Obviously, sex is as much a woman's right as it is a man's right because marriage maintains the purity of women as much as it maintains the purity of men. This right is also based on the fact that if women did not have the right to sex, it would not have been made mandatory in Islamic law for the husband to get his wife's permission to practice *'Azl* (coitus interruptus). 'Umar (رضي الله عنه) is reported to have said that,

> "Allah's Messenger forbade *'Azl* with a free woman without her permission."[18]

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[16] Imams Aḥmad ibn Ḥambal and ash-Shāfi'i felt that sex was not a compulsory part of marriage like the divisions of time and money (*al-Mughni*, vol. 7. p. 304).

[17] Collected by Bukhari. (Arabic-Eng. Trans.), vol. 3, Pp. 110-1, hadith no. 196 and vol. 7, p. 97, hadith no. 127 and Muslim, (Eng. Trans.), vol. 2, Pp. 565-6, hadith no. 2599. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.) vol. 1, p. 435-6.

[18] Collected by Aḥmad and Ibn Mājah, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.),=

That is, the woman has the right to enjoy the complete sex act and bear its fruit if she wishes. Allah said that men and women are protective garments for one another; therefore, it is not fair for a man to deny his wife if she needs him.[19] This does not necessarily mean that he must have sexual intercourse with her every four days without fail, but rather that he should spend time with her so that she feels that he is concerned about her; so that the bonds of love, trust and compassion are strengthened between them and so that the wife retains a sense of security within the relationship.

Some scholars deem sex to be compulsory at least once in four months, based upon Allah's calculation of four months causing divorce when a man swears to avoid his wife sexually.[20] In such a case, known as *Eelā'*, if the husband does not have sex with his wife before the end of four months, they are automatically separated by the judge. Marriage was instituted for the welfare of both parties and for removing of harm from both parties. It removes the danger of illicit desire (in most cases) from both parties; therefore, both men and women must be conscious of their duties toward one another. Neither party should be over-demanding, nor should either party be negligent of the other's needs.

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=vol. 1, p. 697 and rated weak (*Ḍa'īf*) by Shaykh al-Albāni in *Irwā al-Ghaleel*, vol. 7, p. 70, hadith no. 2007.

[19] ﴾Sex with your wives has been made lawful during the night of fasting, for they are garments for you and you are garments for them.﴿ *(Qur'an 2: 187)*

[20] *(Qur'an 2: 226-7).*

## Making up time

If a man leaves his wife's residence for other than work during her day, the beginning of her night or the end of her night and returns immediately (as in the case of prayer), he is not required to make up that time. However, if he goes somewhere for a long period of time or does not return that night, then the time must be made up because his absence has deprived her of her right. He may make up the lost time by being absent from the other wife or wives for a similar time. Since it is allowable for him to leave them both for a complete night, leaving them for a portion of a night is also allowed. He may make up the lost time by being absent from the other wife or wives for a similar period on their days to insure that complete equality is maintained. The time that is made up should preferably be at a similar time to the time that was lost, as in the case of other rights. He may instead choose a free night for himself and return a portion of it to the wife who lost time. Or he could choose to make up the lost time by extending the time of the wife who lost time in such a way that the added time for the first matches half of the lost time for the second, thus equalizing the loss. For example, if a man having two wives owed one of them two hours, he could resolve the matter by extending the owed wife's time into the time of the other wife by an hour, thereby leaving an hour owing to the former and the latter, which balances the situation.

It is generally held among scholars that visiting a wife for an extended period during her co-wife's time is not allowed at night except in the case of dire necessity such as illness or the like. If one of a man's wives is sick and he wants to visit her at night, it is not necessary for the husband to make up the time if he does not stay for an extended visit but leaves shortly afterward. If he

decided to extend his stay, he must make up for his absence from the other wife once her co-wife gets well. If he visits one of his wives within the night time of another for a few minutes or the like merely to socialize, there is no need to make up time; however, if the visit becomes lengthy, then time must be made up.[21] On the other hand, it is not a condition of equality among wives that a man be forced to isolate himself each night for each wife in such a way that no other wife can see him. The *Ṣaḥābi* Anas said, "The Prophet (ﷺ) used to have nine wives at one time. Whenever he divided his time among them, he would not return to the first until nine days had passed. And, all the wives used to gather each night in the house which he was going to."[22] Anas also reported that on occasions, the Prophet (ﷺ) used to go to all of his wives in a single night and he had nine.[23] Thus it is reasonable to conclude that it is permissible for a man to sit and talk with a wife during her co-wife's time as long as the visit is brief. Even if it so happened that he had sex with her during the visit, he would still not have to make up the time if the act occurred within a short time period. Making up time would not be required because sex does not require equal division due to the fact that physical preferences or preferences of the heart do not affect the general principle of equality and a short time period does not have to be made up.[24] However, in order to preserve order and family stability, it would be better if the husband simply exercised self-restraint and limited himself to sex with the one whose turn it is unless extenuating

[21] *Al-Mughni*, vol. 7, Pp. 306, 307.

[22] Collected by Muslim, (Eng. Trans.), vol. 2, p. 747, hadith no. 3450.

[23] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 106, hadith no. 142.

[24] Some scholars hold that this time should be made up by visiting the wife whose time was used and having sex with her during her co-wife's time; based on the fact that the short time period in which sex takes place produces rest (*sakan*) resembling that of a long time period.

circumstances force him to act otherwise. Allah is aware of our intentions. And night visits for other than dire necessity should be consistent and reciprocal in order to avert any display of favouritism and the accompanying jealousies which such visits are bound to produce.

Visiting a wife in the day time of her co-wife's turn is allowable for purposes of socializing, providing provision, visiting the sick, etc. This principle is based upon a report in which the Prophet's wife 'Ā'ishah (ﷺ) said,

> "A day would not pass without Allah's Messenger visiting all of us, one at a time. He would come close to us and fondle us without having sex. And he would continue to visit each one of us until he arrived at the wife whose day it was and there he would pass the night."[25]

Ideally, a man's visit to a wife on a co-wife's day should not be a lengthy one in order to avoid indications of favouritism and the jealousy which it will inevitably produce. Thus if a husband visits for a long time, he must make it up. And, if sex takes place within a short time during a visit in the day, it does not have to be made up."[26] However, the general recommendation mentioned earlier regarding night visits also holds true here. If day time visits are frequent, they should be equally shared in order to avoid any imbalance and jealous reactions.

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[25] Collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 572, hadith no. 2130, al-Ḥākim and al-Bayhaqi, and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 400, hadith no. 1868.

[26] The other position, as in the case of the night, is that time should be made up by visiting the wife whose time was used and having sex with her during the other one's time.

If women are in different countries or cities by the husband's choice, he is required to be equal in the division of his time between them because he has chosen the separation. Neither of the wives' rights should be dropped because of the separation. He should either visit the absent wife regularly, have her come to him regularly or bring them both together in the same city or country. If the absent wife refuses to come and she is able to do so, her right to division is lost. However, if the husband prefers to keep them in two different countries or cities and the single division is difficult or impossible, he can set the period to be spent with each wife according to what is possible or reasonable, whether monthly, weekly or the like. If the husband is unable to visit his wives for equal periods of time due to considerations of work or economic limitations, the lost time remains a debt owed to the wife which must be repaid at the first available opportunity.

If a wife travels to fulfill a personal desire such as work, trade, education, visiting relatives or friends, or for religious reasons like 'Umrah, her right to equal division of time and support is dropped since the division of time is for intimacy which she has chosen to forego and support is given to make intimacy possible. In other words, when division and support become difficult, unfeasible or impossible due to reasons emanating from her, the obligation of division and maintenance is dropped. This principle is also deduced from the fact that if the man travels, the division is automatically dropped, as the Prophet (ﷺ) did not make up time after returning from a journey. Thus, if division is dropped when the reason emanates from him, it must also be dropped if the reason comes from her. However, if he has sent her on some errand or if he has her leave the city, her rights of division and support remain intact.

## Giving up division rights

A wife may give up her right to division to her husband, to some of his wives or all of his wives if the husband agrees. Since it is his right to take pleasure from her, it must be with his agreement. This principle is based upon the fact that Sawdah (ﷺ) (one of the Prophet's wives) gave her day to 'Ā'ishah (ﷺ) (another one of the Prophet's wives). So the Prophet (ﷺ) used to add the time originally allotted to Sawdah to 'Ā'ishah's time. It is narrated that when Sawdah bint Zam'ah became old and feared that Allah's Messenger might divorce her, she said,

> "O' Messenger of Allah, I give my day to 'Ā'ishah." And, he accepted it.[27]

If the day which is given precedes or follows the day of the wife to whom the day is given, the husband may stay with that wife for two consecutive days, but if the other wives have days in between, the husband is not allowed to put the days together without the permission of the other wives. If the right is given to the husband, he may give it to any one of the wives he wishes to. However, if a wife gives up her time without giving it to another wife or to her husband, he has to divide his time equally among the remaining wives. What is more, the wife who has given up her turn may ask for it back whenever she wishes but she has no right to what has already passed.[28] It must be noted that it is incorrect for her to give up her time in exchange for wealth and if she has done so, she should return the wealth and he should make up her

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[27] Collected by Abu Dawūd, *Sunan Abi Dawūd*, vol. 2, p. 572, hadith no. 2130, and authenticated by Shaykh al-Albāni in *Ṣaḥīḥ Sunan Abi Dawūd*, vol. 2, p. 400, hadith no. 1868.

[28] *Sharḥ as-Sunnah*, vol. 9, Pp. 152, 153.

time. However if it is exchanged for other than wealth, such as trying to please her husband, it is allowable. This position is based upon an incident reported by the Prophet's third wife, 'Ā'ishah (ﷺ), in which she said that,

> "Allah's Messenger was displeased with his wife Ṣafeeyah bint Huyay, because of something that she had done wrong. Ṣafeeyah asked 'Ā'ishah if she would accept one of her days in order to make the Prophet (ﷺ) pleased with her and 'Ā'ishah agreed. When Ṣafeeyah's day came, 'Ā'ishah took a scarf dyed in saffron and sprinkled water on it so that its perfume would spread, tied it around her head and came and sat next to the Prophet (ﷺ). The Prophet (ﷺ) said, 'Go away from me 'Ā'ishah for surely it is not your day.' She replied, 'This is Allah's favour which He gives to whomsoever He pleases.' Then she told him about Ṣafeeyah's bargain with her and he immediately became pleased with Ṣafeeyah."[29]

## Residence rights

It is preferable that each wife have separate living quarters in which the husband visits her because that was the way Allah's Messenger (ﷺ) divided his time. In view of this fact, a husband should not put his wives in the same house unless they agree to a communal arrangement or the house is divided into distinct and separate apartments such as might be found in a duplex. It makes no difference whether the house is large or small if kitchen, bathroom and other facilities are shared, because living together constitutes a type of hardship on them due to the natural jealousies

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[29] Reported by 'Ā'ishah and collected by Ibn Mājah and rated weak (*Ḍa'īf*) by Shaykh al-Albāni in *Ḍa'īf Sunan ibn Mājah*, p. 150, hadith no. 428.

which are likely to arise among them. Such living arrangements often lead to arguments and fighting which obliterate the apparent economic benefits of living together. The wives may experience jealousy when he goes to either one of them or they may imagine preferences which could lead one or more of them to experience emotional harm or inhibition. Nevertheless if they agree, it is permissible because it is their right to decide. It is even permissible according to Islamic law for them to sleep in the same bed if it is necessary and they agree to it, but it is not lawful for the husband to have sex with one in the sight of the other even if they agree.[30] Such an act would be a breach of human decency and would be against the spirit of Islam as regards modesty and privacy. However, there is no harm in living together in the same house or in the same quarters with the basic understanding that all parties will conduct themselves in an Islamic fashion in order to insure harmonious relations. Nonetheless, it should also be realized that such arrangements will naturally inhibit the parties involved as far as free expression of affection goes. For some wives may be more affectionate than others and if no checks are placed on displays of affection in front of less affectionate wives, jealousies are bound to arise. Thus any display of affection on the husband's part will have to be balanced and restrained.

It is also allowable for the husband to have separate living quarters for himself as well as his wives, and have each wife visit him during her respective day and night. This allowance is possible because a man has the right to move his wife wherever he wishes and if she refuses, her right to division is lost due to her disobedience. Additionally, if he wishes to place all his wives in one home and have them visit him on their respective turns, it is

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[30] *Al-Mughni*, vol. 7, p. 300.

also possible. Or if he wishes to visit some of his wives in their homes and have others visit him in his, it is also allowable as he has the right to house them wherever he sees fit as long as the housing is equitable and befitting his means. That is, he can not legally house some of his wives in luxurious housing and others in squalor. Houses or apartments, may vary in size according to the size of the families involved but not in quality unless the differences in quality are due to a wife's contribution from her own wealth.

## Travel rights

If the husband wishes to travel and wants to or is only able to take some of his wives with him, he has to choose among them by drawing lots as all of them have equal rights to travel with him if they wish. This principle is based on the Prophet's practice as narrated by his wife, 'Ā'ishah, wherein she said that,

> "Whenever the Prophet wanted to travel, he used to draw lots among his wives and the wife whose lot came out would travel with him."[31]

The husband is then not required to make up the time spent on the trip for the wife or wives who did not travel, regardless of the length of the trip.[32] Bukhari's collection of Hadiths further mentions that on one occasion the lots came to 'Ā'ishah and Ḥafṣah (may Allah be pleased with them). However, if he takes two wives on a trip with him by drawing lots, he has to treat them

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[31] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 103-4, hadith no. 138, Muslim and Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 573, hadith no. 2133. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 686.

[32] *Sharḥ as-Sunnah*, vol. 9, p. 154.

equally in all the previously mentioned aspects of division. Most Islamic legal scholars take the position that if he travels with one wife without drawing lots, he has sinned and is obligated to make up the time that he resided overnight with her on the road.[33] A man is not obligated to travel with the one the lot falls to if he prefers to travel alone rather than with her. The drawing of lots is necessary to determine who has the right to go with him if he takes someone. However, after drawing lots, choosing to travel alone without good reason should be avoided because of the obvious ill-feeling which such a decision would create. If the wife whose lot comes up decides to give her lot to another, she may do so with the husband's permission. Should she decide not to go, he may insist that she do so as her companionship is his right if her lot comes up. It is allowable for the wives to agree to one of them going without drawing lots because they may give up their right. However, if the husband is not pleased with their choice and prefers another, lots must be drawn unless they agree with his choice. In the event that the husband travels with one and during the trip, decides to go elsewhere, it is still considered part of the trip and no make-up is necessary.

Should a husband transfer his home to another country and he is able to take all of his wives at the same time, he must do so according to law. However, if he decides to take only one, even by drawing lots, he must make up the traveling time and all other time for the others.[34] If he is unable to take all of his wives at one time or if it is very difficult to do so, it is permissible to send all of them with some trustworthy person and thereby avoid drawing

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[33] Abu Ḥaneefah said that making up time was not necessary in this case, because it is not possible to make up travelling time with residing time. (*al-Mughni*, vol. 7, p. 314)

[34] *Sharḥ as-Sunnah*, vol. 9, p. 154.

lots and making up time. But, if he wants to take one or more of them with him to the exclusion of the others, he should only do so by drawing lots. Naturally, if he not only relocates but also settles down with one or more of them, he must later make-up the time spent with them for the others when they arrive.

## Spending and clothing rights

It is not necessary for a husband to provide his new wife with all of the luxuries already possessed by his other wives right away. However, he is required to provide her with the basic necessities according to his means and social status. He may, if he chooses to, provide her with any amount of gifts as part of her dowry. However, after marriage all gifts must be balanced.

Equality among women with respect to spending and clothing is not obligatory once the husband has provided each with her basic necessities. For, if equality were made compulsory, he would be unable to do so without placing himself under great duress.[35] However, a man should be as just as possible in looking after the needs of the individual wives. The basic principle of justice as opposed to equality can be more clearly illustrated by the following examples: One wife's refrigerator breaks down and the other wife's refrigerator is in good condition. The husband should repair or replace the broken refrigerator without having to replace the other refrigerator because there is no need to do so. Similarly, if one wife is large and needs four meters of cloth in order to make a dress while the other wife is smaller and only needs two and a half meters, buying what is sufficient is all that is required. In cases where tastes differ with perhaps one wife

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[35] *Al-Mughni*, vol. 7, Pp. 305, 306.

wanting silk, while the other one prefers cotton, the relative difference in value has to be made up for the wife who wants cotton — if it is more expensive and if she wishes.

## Gifts

Personal allowances are not a requirement according to the Islamic law; however, if the husband decides to give one of his wives an allowance, he should give the others the same. Similarly, gifts should be balanced; however, if he buys earrings for one and the other has no desire for earrings, he should give the cost of the earrings to her or buy her something else of equivalent value. Spending for children is not included in the division of wealth among wives; hence, it goes without saying that if one wife has seven children and the other wife has two that the husband must spend more in terms of food and clothing for the larger family.

It can generally be said that moderation in demands has to be maintained if plural marriages are to work among moderate-income spouses. Demanding absolute equality or requiring that the husband make up every minute right can only lead to the strangulation and ultimate destruction of plural marriages. It is not necessary to regard the occasional overlooking of certain minor rights on the part of those involved as major losses or oppression, for Allah does not allow any right to be lost no matter how small. And, good-hearted charity in the interest of harmony and goodwill is always rewarded. If, however, gross injustice exists in any of the previously mentioned areas of rights, the oppressed wife has basically three recourses. First, failing in her own requests for justice, she may ask her natural guardian (*Wali'*) or an appointed guardian (*Wakeel*) to intervene and advise her husband to be just. If such an attempt fails, she may request that the court judge the

case, and if the court finds that the husband has indeed been unjust, he can be ordered to be just. She may, subsequently, request a divorce if the husband refuses to comply to the courts orders,[36] or she may simply relieve him of the obligation of justice if she feels that maintaining the marriage is more important than obtaining her rights.

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[36] It should be noted that the commonly quoted hadith in which the Prophet is supposed to have said,

"The most disliked of allowable things by Allah is divorce."

Collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 586, hadith no. 2173 and Ibn Mājah, is weak (*Ḍa'īf*). See *Ḍa'īf Sunan ibn Mājah*, p. 155, hadith no. 441.

## *Section Five*

# CONCLUSION

It is understood by all sane and reasonable people that due to the obligations involved in plural marriages, a man should ascertain whether or not he can support another wife before marrying again. If a man is experiencing difficulty meeting the basic socio-economic requirements necessary for one wife and family, he should not further strain his financial and emotional abilities by marrying another, unless she is a self-supporting or wealthy woman who is ready to join her fortune to his. There is no blame on either party if such an arrangement is mutually agreed upon, as the Prophet's first wife, Khadeejah (رضي الله عنها), aided him in this way. Such an arrangement need not necessarily be a permanent one because the woman's right to support cannot be cancelled and can be demanded at any time. However, such a reversal should not take place at the whim of the wife but for valid reasons, nor should it be used as a threat to make the husband comply with any unreasonable demands on her part. Nonetheless, a husband still has to be in a fairly stable economic position in case his self-supporting second or third wife decides to stop working or becomes unable to do so due to pregnancy or illness etc. The allowance of self-supporting second or third wives does not justify the phenomenon of welfare-based marriages which

have become prevalent in North America. Certainly, a woman receiving a monthly subsistence cheque from the American government can not be considered self-supporting. Quite the contrary, she is probably in need of all the help and support that she can get as she is likely living on an income designed to barely feed her children and pay rent for substandard housing. The receipt of welfare cheques by married women, especially in the case of plural marriages, involves lies and deceit, which are among the most despicable traits that a Muslim may posses. Any man who marries a woman in order to control her welfare cheque is without doubt a base and vile creature who should be ashamed to eat the food which belongs to her helpless children.

A man without a legitimate source of income should not marry according to Islamic law until he has the means to provide for a family. Allah (ﷻ) has emphasized that fact in the Qur'an as follows:

*"Let those who can not find the wherewithal for marriage keep themselves chaste until Allah gives them the means out of his grace..."* (Qur'an 24: 33)

Ibn Mas'ūd (رضي الله عنه) also reports that the Prophet (ﷺ) said,

> "O' gathering of young men! Whoever among you has the means and ability to get married should do so, and he who is unable should fast, for verily it is a guard for him."[1]

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[1] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 7, p. 4, hadith no. 4, Muslim, (Eng. Trans.), vol. 2, p. 703, hadith no. 3233 and Abu Dawūd,=

If he is unable to fast regularly, he should then work that much harder to obtain enough money for marriage, as Allah (ﷻ) has stated in the Qur'an:

﴿وَأَن لَّيْسَ لِلْإِنسَٰنِ إِلَّا مَا سَعَىٰ ﴿٣٩﴾﴾ (سورة النّجم : ٣٩)

"*There is nothing for man but what he strives for.*"
(Qur'an 53: 39)

A man has to use his natural abilities and seek employment, however, menial it may seem, as the Prophet (ﷺ) said,

> "The best way of earning a livelihood is by one's own hands for even Prophet Dawūd earned a living with his own hands."[2]

The Prophet Muhammad (ﷺ) never avoided hard work and he praised those who did likewise. He worked lifting earth and breaking boulders during *Ghazwah al-Aḥzāb* (the Battle of the Clans) when a huge trench was dug by the Muslims to defend the city of Madīnah. He did not like people to depend upon charity when other means of existence were possible. It is reported that,

> "Once an unemployed Anṣār (resident of Madīnah) came and asked the Prophet for some charity. The Prophet asked him if he had any property. He replied that he only had a blanket with which to cover his body and a cup to drink from. The Prophet asked him to bring these things. When he brought them, the Prophet took them and auctioned them off among the people. One of those

=*Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 544, hadith no. 2041. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 658.

[2] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 3, Pp. 162-3, hadith no. 286). See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 592.

> present offered one *dirham* and the Prophet requested that he raise the bid. Another man offered two *dirhams* and the items were sold to him. The Prophet then gave the two *dirhams* to the man and advised him to purchase an axe with one *dirham*. When he had bought an axe, the Prophet fixed the handle with his own hands and gave it to the man and told him, 'Go to the woods, cut wood (and sell it) and do not come back to see me before fifteen days.' When the man returned, the Prophet asked about his situation. The man replied that he had earned twelve dirhams during that period and had purchased some cloth and grain. The Prophet remarked, 'That is much better than begging and disgracing yourself on the Day of Judgement.' "[3]

Abu Hurayrah (ﷺ) also reported that the Prophet (ﷺ) said,

> "If one of you were to take a rope and bring a bundle of firewood on his back then sell it (to earn his living), it would be better for him than begging from others."[4]

To further discourage unwanted begging the Prophet (ﷺ) forbade it except on three occasions. Qubaysah ibn Mukhāriq al-Hilāli reported that the Prophet (ﷺ) said that begging is only allowed in one of the following cases: a man who takes on someone else's responsibility is allowed to beg until he raises the

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[3] Collected by Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 430-1, hadith no. 1637, Tirmidhi and Ibn Mājah, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1. Pp. 391-2, and rated weak (*Ḍa'īf*) by Shakh al-Albāni in *Mishkāt al-Maṣābiḥ*, vol. 1, Pp. 579-80, hadith no. 1851, ftn. 1.

[4] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 3, p. 163, hadith nos. 288 & 289. Muslim, (Eng. Trans.), vol. 2, Pp. 497-8, hadith no. 2267 and Mālik, *Muwaṭṭa Imam Mālik*, p. 427, hadith no. 1823. See also *Mishkāt al-Maṣābiḥ*, (English Trans.), vol. 1, p. 390.

cost; one whose wealth is lost in a calamity may beg until he has regained his footing; one who is poverty-stricken is allowed to beg until he re-establishes himself if three intelligent people from his tribe bear witness that he was poverty stricken. The Prophet (ﷺ) said,

> "Begging under other than these three conditions, O' Qubaysah, is *ḥarām* and the devouring of *ḥarām*."[5]

As for those who insist on begging, Ibn 'Umar reported that the Prophet (ﷺ) warned,

> "A man will continue to beg people for their money until he comes (before Allah) on the Day of Judgement without a single piece of flesh remaining on his face."[6]

Welfare is an institutionalized form of begging which is *ḥarām* for any self-respecting practicing Muslim male able to support himself, much less one involved in plural marriage.

Muslims of North America can not achieve the momentous task which awaits them by paying lip service to the Sunnah [way of the Prophet (ﷺ)] by over emphasizing outward things like eastern dress while neglecting principles of work. Clinging to welfare is not going to establish an Islamic community capable of making Islam in America more than just a transient phenomenon. Those who collect welfare and refuse to work because they claim they can not work for the *Kāfirs* (non-believers) in fact consider

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[5] Collected by Muslim, (Eng. Trans.), vol. 2, p. 498, hadith no. 2271, Abu Dawūd, *Sunan Abi Dawūd*, (Eng. Trans.), vol. 2, p. 430, hadith no. 1636 and Ibn Khuzaymah, *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 389.

[6] Collected by Bukhari, (Arabic-Eng. Trans.), vol. 2, p. 321. hadith no. 553, and Muslim, (Eng. Trans.), vol. 2, p. 479, hadith no. 2265. See also *Mishkāt al-Maṣābiḥ*, (Eng. Trans.), vol. 1, p. 387.

themselves better than the Prophet's Companions who worked for non-believers in both Makkah and Madīnah. The claim that the non-believing employers do not allow time for *Ṣalāh* (prayers) is invalid as certain *Ṣalāh's* may be joined in cases of necessity, or jobs should be sought (whether less lucrative or not) which allow people to make their *Ṣalāhs*. The great success of incarcerated Muslims in being allowed to practise Islam in prisons clearly shows what fruit sincere intentions and striving can produce with Allah's mercy.

The basic building block of Islamic communities in America or elsewhere is the stable family unit which in itself is made up of family members united by marital bonds. Depending on the circumstances, the bonds will take both monogamous and polygynous forms; however, great care must be taken to avoid the western marriage-divorce syndrome as well as the distorted form of polygyny which has appeared among the decadent societies of the East. As has been mentioned previously, polygyny carries certain conditions, and the distortion of the practice which was instituted to balance society is not only harmful to the women involved but also to the image of Islam itself. A man must be able to meet the economic, emotional and spiritual requirements of plural marriage in Islam so that the societal balance remains intact, rather than create new problems which have to be solved.

It must be emphasized that western women who have not grown up in a society which condones polygyny should open their eyes and carefully consider what they might be getting themselves into before entering into such relationships. First, the woman should question herself concerning her expectations from marriage and decide whether or not she foresees obtaining these things by marrying someone who is already married. If she is marrying as a second wife, she must consider the real possibility

of her husband contracting a third or possibly a fourth marriage and decide whether she wants to or is able to deal with this sort of arrangement or not. The western woman entering plural marriages should thoroughly explore the concept of sharing love, wealth, time and hardships with other women — namely her husband's wives. She must honestly realize that her husband is not hers alone and will never be hers alone. Consequently, she will have to rise above the natural human desire to possess him by herself in view of the fact that he will not be at her back and call. On the contrary, she may only see him as little as once, twice or thrice per week.

On the other hand, the male who proposes to have more than one wife will have to develop the ability to divide his time and personality in such a way that the frustration level within his relationship with any one or all of his wives does not rise beyond tolerable levels. He should carefully and sincerely adhere to the Qur'anic injunctions and the way established by the Prophet (ﷺ) in order to lessen doubt, suspicion or ill-feeling on the part of his wives. If it so happens that a man finds that he is unable to deal justly with one or more of his wives, he should make a decided effort not to turn away from her altogether. And, if even that becomes impossible, he should grant her freedom in the most humane manner possible. A man desiring to have more than one wife or desiring to add to his existing wives should question himself as to his ability to take care of the emotional, financial, spiritual and sexual needs of women involved in addition to meeting the needs of whatever children might be had. He should then appraise his present relationship(s) and decide whether or not the strain of adding another woman or another family can actually be borne. If the answers to his questions are negative, then he should try to use some self-restraint and refrain from re-marrying no matter how attractive the opportunity might appear. Islam is a

religion of discipline, restraint and reason. Muslims discipline themselves by fasting, giving in charity and enduring the limitations and restrictions of Ḥajj; therefore, reasoned restraint in this instance would only serve to further develop his character. However, should the answers to his questions be in the affirmative, then he should sincerely ask Allah for guidance and deal as effectively as he is able to.

Although it is not necessary for a Muslim man to obtain the consent of his first wife before marrying another wife, he should, at least, prepare her so that she can gather her emotional reserve and strength before the event actually takes place. He should seek to reassure her of his caring for her and follow the Islamic guidelines as set forth in the Qur'an and Sunnah concerning the relationship of males and females who are not married to one another and who are within the degrees of marriage. He should not pursue his second or third wife in the fashion that men in the West pursue girlfriends and mistresses. He should treat his first or existing wives with respect and not allow her/them to hear the news of his impending marriage from neighbours, friends or the intended wife herself before hearing it from him. He should not flaunt his excitement or pleasure of anticipation in front of the wife or wives to whom he is already married but should behave with decorum and show his love and respect for her/them by considering her/their feelings. Just as Allah has created man with a natural propensity toward wanting more than one woman, he has also created jealousy in the woman. This jealousy is a protective device for the family. Women are naturally protective and try to protect their territory (i.e., husband and children) and can not abide the thought of another woman encroaching upon this territory. If women were not innately jealous then there would be no problem involved in a man taking another wife. If this idea

were acceptable to women in general then there would be no problem and men could satisfy their desire without concerning themselves with anyone else's feelings. But men can not do that because concern for their wives' feelings and fear of their wives' reprisals stop men from going overboard in their desires. And, as complete indulgence would only prevent a man from fulfilling his responsibilities to any one person or family, checks are needed to curb his general desire to be with any attractive female he sees and one of the greatest checks is the jealousy that would be experienced by his wife.

A man ought to be considerate of his first wife because through marriage to her he has satisfied one of the most basic human needs. And, although the desire behind marrying another wife is similar to the desires which led to marrying the first one, there is one major difference. That difference lies in the fact that it was necessary to marry the first in order to fulfill those desires and once these needs have been satisfied they are no longer necessities. Of course nothing can change the fact that Allah, the Most High and All-Great, gave man the right to avail himself of more than one wife — whether it is essential or not. However, discretion should be used in the choice of any additional wife / wives. This is especially true if a man wants all of his wives to be friends, or to live together. In order to facilitate friendship, the husband should choose wives of compatible personality types, similar backgrounds, or his choices should include women with similar goals so that there are no major conflicts concerning direction-taking.

Some people seem to feel that polygyny should be banned because of the apparently high incidence of failures, especially in the West. But this is a very irrational conclusion as the incidence

of failure in monogamous relationships is as great or greater but no one would think of banning marriage altogether. Human beings are tested in various ways in the different departments of life to see who is best in regards to deeds. Polygyny is a marriage form in Islam which tests all the marriage partners and forces them to give more thought to communal feelings, needs, and expectations than may be necessary in monogamous marriage. The test lies in any one person's ability to be charitable, co-operative and patient in the face of jealousy and instances of apparent injustice. Any man who chooses to have more than one wife will have to try to be on top of the situation by anticipating problems which might arise as he integrates each family member into the family unit. Success in this test could teach each family member how to succeed in the larger units of community; state and nation.

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# GLOSSARY

| | | |
|---|---|---|
| *Amīr* | أمير | : Head of a Islamic state, Islamic organisational chief, leader of a group. |
| *Amīr al-Mu'minīn* | أمير المؤمنين | : Chief of a Islamic state, a Caliph. |
| *'Azl* | عزل | : Coitus interruptus. |
| *Ḍa'īf* | ضعيف | : Lit. Weak; In hadith discipline a hadith which has some lacuna in the chain of narrators. |
| *Eelā'* | ايلاء | : Husband's vow not to have sex with his wife for a period of time. |
| *'Eid* | عيد | : Lit. Festival; Muslims have two festivals one the 1st of Shawwal and the other on 10th of *'Eid al-Aḍḥa.* |
| *Ḥarām* | حرام | : Illegal, not allowed according to Islamic law. |
| *Ihrām* | اهرام | : Consecration and special (two white sheets) garments of the (male) pilgrims to Makkah — with *niyah* (intention) to offer Ḥajj / 'Umrah, for female no specific garments prescribed. |

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|---|---|---|
| *Kāfir* | كافر | : Disbeliever. |
| *Maghrib* | مغرب | : Lit. West; in Islamic terminology evening prayer after sunset. |
| *Nifās* | نفاس | : Post-natal bleeding, period after child birth. |
| *Qur'ah* | قرعة | : Drawing of lots. |
| *Ṣaḥābah* | صحابه | : The Companions of the last Prophet. |
| *Sakan* | سكن | : Tranquility, emotional rest. |
| *Sunnah* | سنّه | : Pl. *Sunan*; Way, practice, the customary practice refer almost exclusively to everything the Prophet said, did, approved of or condemned. |
| *Ta'addud* | تعدد | : Lit. Poly, multi, plurality; here it refers to polygyny. |
| *Ummah* | امّة | : Community, nation. |
| *Wakeel* | وكيل | : Disposer, disposer of affairs, deputy. |
| *Wali* | ولى | : Friend, protector, patron, guardian. |

# DIRECTORY OF SYMBOLS

(سبحانه وتعالى) : *Subḥānahu wa Ta'āla* — "The Exalted."

(ﷺ) : *Ṣalla-Allahu 'Alayhi wa Sallam* —
"Blessings and Peace be upon him."

(عليه السلام) : *'Alayhis-Salām* — "May Peace be upon him."

(رضي الله عنه) : *Raḍi-Allahu 'Anhu* — "May Allah be pleased with him."

(رضي الله عنها) : *Raḍi-Allahu 'Anha* — "May Allah be pleased with her."

# *TRANSLITERATION CHART*

| | |
|---|---|
| أ | a |
| آ ـ ى | ā |
| ب | b |
| ت | t |
| ة | h or t<br>(when followed by another Arabic word) |
| ث | th |
| ج | j |
| ح | ḥ |
| خ | kh |
| د | d |
| ذ | dh |
| ر | r |
| ز | z |
| س | s |
| ش | sh |
| ص | ṣ |
| ض | ḍ |
| ط | ṭ |

| | |
|---|---|
| ظ | dh |
| ع | ‘ |
| غ | gh |
| ف | f |
| ق | q |
| ك | k |
| ل | l |
| م | m |
| ن | n |
| هـ - ه - ـه | h |
| و | w |
| و (as vowel) | ū or oo |
| ي | y |
| ي (as vowel) | ī or ee |
| ء | ’ (Omitted in initial position) |

| | | |
|---|---|---|
| َ | Fatḥah | a |
| ِ | Kasrah | i |
| ُ | Ḍammah | u |
| ّ | Shaddah | Double letter |
| ْ | Sukūn | Absence of vowel |

# INDEX OF HADITHS

* See it in the footnote.

**About the Book:** "Polygamy is the Muslim practice most frequently and severely maligned by Westerners and modernist Muslims. This book can be read with profit by all unprejudiced readers who wish to know its justification and rationale.
One of the greatest contrasts between Islam and the West is their conflicting concepts of relations between the sexes. Indeed, the very first question a Muslim convert is confronted with by an American or European is "Why does Islam allow four wives?" This book ... replies straightforwardly to that question and much more.
The author also describes all the most important characteristics of marriage in Islam, pointing out that the Western notions of sex equality and romantic premarital 'love' are not necessary in Islamic marriage based on piety and the commitment on the part of both partners to win the pleasure of Almighty Allah."

**Maryam Jameelah**, *Muslim World Book Review*, vol. 9, no. 3

**"Arguably, the most significant work of its kind in the English language, *Polygamy in Islam,* approaches this highly sensitive issue with admirable grace and clarifies many issues regarding this often-misunderstood marital practice. In this work, the authors give real-life examples and spell out the rights of husbands and wives in a clear, eye-opening style, designed to help even the reluctant in coming to terms with polygamy as a beneficial method of relationship management."**

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**"A clear and concise guide for a controversial subject. It must be read by those involved in or considering Polygamy. The authors' approach utilizes practical experience as well as textual prescriptions to clarify the topic."**

**- Amjad Khan, Production Editor, *The Weekly Gulf Times,* Doha, Qatar**

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